

# Resettlement Plan

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May 2018

People's Republic of China: Yunnan Lincang Border  
Economic Cooperation Zone Development Project  
(Zhenkang County)

Prepared by the Zhenkang County Government for the Asian Development Bank.

## CURRENCY EQUIVALENTS

(as of 15 May 2018)

Currency unit	–	yuan (CNY)
CNY1.00	=	\$0.1577
\$1.00	=	CNY6.3392

## ABBREVIATIONS

AAOV	–	average annual output value
ADB	–	Asian Development Bank
DI	–	design institute
EA	–	executing agency
FSR	–	feasibility study report
IA	–	implementing agency
LA	–	land acquisition
LRB	–	Land and Resources Bureau
RP	–	resettlement plan
SPS	–	Safeguard Policy Statement
MSW	–	municipal solid waste
O&M	–	operation and maintenance
PAM	–	project administration manual
PMO	–	Project management office
PRC	–	People's Republic of China
PSA	–	poverty and social analysis
RCI	–	regional cooperation and integration
SGAP	–	social and gender action plan
t/d	–	ton per day

## WEIGHTS AND MEASURES

km	–	kilometer
m <sup>2</sup>	–	square meter
<i>mu</i>	–	1 mu is equal to 666.7 m <sup>2</sup>

## NOTE

In this report, "\$" refers to United States dollars.

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## Commitment Letter

Zhenkang County Government requested for Asian Development Bank (ADB) to finance to build the China-Myanmar Friendship Hospital, the project shall be implemented in accordance with ADB's Safeguard Policy Statement 2009. This resettlement plan represents a critical requirement of ADB and will be implemented as the basis for land acquisition, demolition, and resettlement of the project. The RP complies with relevant laws and regulations of the People's Republic of China, Yunnan province and Zhenkang County. In order to successfully complete the resettlement, it incorporates additional measures and implementation & monitoring arrangements.

Zhenkang County Government hereby confirms the report contents and guarantees that land acquisition, demolition, resettlement, compensation, and budgeting of the project shall be carried out according to this plan that is prepared on the basis of the project feasibility study report and the preliminary socio-economic survey data. If there is any design change compared with the feasibility study report and results in substantial impact on this Resettlement Plan, this Resettlement Plan shall be updated accordingly. The updated Resettlement Plan shall be submitted to ADB for review and concurrence prior to any land acquisition and house demolition activities.

Zhenkang County Government  
(Official seal)



County Governor (or Vice County Governor in Charge):

李永华 (signature)

2008年6月8日 (date)

## 承诺函

镇康县人民政府为镇康中缅友谊医院建设工程，申请了亚洲开发银行贷款。因此，项目的实施必须满足亚洲开发银行的《社会保障政策》（SPS 2009）。本《移民安置计划》作为项目的征地和安置的依据，是根据亚洲开发银行的关键要求，以及中华人民共和国、云南省及镇康县相关规定和政策而编制的。为了确保更好地完成征地和安置工作，本《移民安置计划》制定了安置及恢复措施、实施与监测计划。

镇康县人民政府在此确认本《移民安置计划》内容，并同意按本《移民安置计划》实施征地、拆迁、安置、补偿、以预算资金准备。本《移民安置计划》是按项目的《可行性研究报告》和初步的社会经济调查数据编写的。如果与可研相比，有任何的设计变更，并且变更对移民安置带来重大影响，本《移民安置计划》将随之进行更新。更新的《移民安置计划》将提交亚行审核，并得到批准后，才开始进行征地拆迁。



县长（或分管副县长）： 李文娟 （签字）  
2018年6月8日 （日期）

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## Executive Summary

**Project Background.** For Zhenkang County, the plan is to build the China-Myanmar Friendship Hospital (including an access road).

**Scope of Land Acquisition and House Demolition Impacts.** The China-Myanmar Friendship Hospital (including an access road) will require a total of 123.50 mu of land Baiyan Village, Nansan town. A total of 85.26 mu of land was already acquired before (2014-2016) and based on due diligence, there are no legacy or outstanding issues. For the 38.24 mu of land, this will affect 9 households (41 persons) who are using said land for farming. The impacts on households are found to be not significant since none of the households will lose more than 10% of their land, and that they have other sources of income. All households are Daeng ethnic minorities. None of them are found to be poor or vulnerable.

**Policy Framework and Entitlements** This RP is prepared in compliance with the laws and policies in terms of the LA in Zhenkang County, and PRC, as well as per ADB Safeguard Policy Statement (SPS) 2009.

**Project Entitlements.** Compensation for land and assets will be based on the principle of replacement cost. In addition to compensation, skills trainings to all households will be offered by the Agricultural Bureau and Labor and Social Security Bureau.

**Consultations and Disclosure.** Consultations have been carried out and will continue during project implementation. All affected households were met and surveyed, their comments and opinions on compensation and relocation to ensure that impacts are avoided if not minimized are reflected in this RP. Copies of the RP will be placed in the village office while resettlement information booklets in local language will be provided to the affected households.

**Grievance Redress.** The project has established an effective and transparent grievance redress mechanism. Complaints can be made through the following channels/stages starting from the village committee up to the Zhenkang County. All complaints will be recorded and monitored by the Zhenkang PMO.

**Implementation Arrangements.** The implementation agency of the project is the Zhenkang PMO. For resettlement and land acquisition, the Land and Resources Bureau will be responsible and will work closely with the Zhenkang PMO and other concerned bureaus.

**Implementation Schedule.** It is planned that all the departments will start land acquisition works in late 2018 until early 2019. This RP will be updated following final technical design, DMS, consultation and disclosure, final relocation and restoration strategy; and will be submitted to ADB for review and concurrence. Land acquisition and house demolition will only commence once the Updated RP is satisfactory to ADB.

**Resettlement Budget.** The total budget of the project resettlement is estimated at 3.76 million yuan.

**Monitoring and Reporting.** The PMO will carry out internal monitoring during implementation. Semi-annual monitoring reports will be submitted to ADB.

# **1. Project Background**

1. The PRC Government has requested the Asian Development Bank (ADB) to provide a loan to fund part of the long-term investment needs for implementing Yunnan's strategies on enhancing RCI and to support the development plan of the Lincang Border Economic Cooperation Zone (LBECZ) and of the border counties of Zhenkang, Cangyuan Wa, and Gengma Dai and Wa.
2. The indicative outcome of the project is: competitiveness of urban centers, logistics and industrial parks, and land ports in project counties and the LBECZ enhanced. The project will be aligned with the following indicative impacts: (i) economic growth potential for the LBECZ and border areas of Myanmar enhanced; (ii) benefits of regional cooperation and integration in the LBECZ and border areas of Myanmar realized; and (iii) living conditions and public health of residents of the LBECZ and border areas of Myanmar improved. The project has the following components: (i) improve cross-border trade capacity, (ii) improve urban environment infrastructure; improve social infrastructure and services, and (iv) improve institutional capacity of agencies involved.
3. For Zhenkang County, the plan is to build the China-Myanmar Friendship Hospital (including an access road) which falls under the social infrastructure and services component of the Project. It will have a total building area of 63,878.46 m<sup>2</sup>, which includes the above ground building area of 42,270.64 m<sup>2</sup> and underground building area of 21,608 m<sup>2</sup>.
4. The China-Myanmar Friendship Hospital and access road (referred to as the "subproject") will require a total of 123.50 mu of land. After field survey and as confirmed with the PMO, there will be no house demolition.



**Picture 1-1: Zhenkang China-Myanmar Friendship Hospital**

(The purple line range refers to the acquired state-owned land, the red line range is to be acquired collective land)



**Picture 1-2: Zhenkang proposed hospital and affected communities and villages**



## 2. Feasibility Study Stage

5. In the engineering design phase, the impact of the LAR should be minimum, the main principles are following:

- To avoid or minimize the occupation of existing and planned residential areas (rural and urban);
- To avoid or minimize the acquisition of high quality arable land;
- To use existing state and local roads towards to the proposed construction area;
- To avoid or minimize the occupation of environmentally sensitive areas; and
- To select the resettlement areas in line with the local development plan.

6. The road route selection of new hospital should be combined with existing overall planning to avoid or reduce occupancy of existing building and cultivated land.

7. The original project plans to build China-Myanmar Friendship Hospital, permanent land acquisition of 73.74 mu, affect 15 households with 62 people; After site visits to affected communities and villages, PMO and resettlement preparation units and design units have optimized the project to reduce resettlement impacts. Due to the large amount of land acquisition in the hospital, the PMO and resettlement preparation units and design units fully communicated and consulted with the local residents, and after the project optimization, the land acquisition area and the population of affected people decreased significantly. Details are presented in Table 2-1.

**Table 2-1: Comparison of the Affected Area before and after Design Optimization**

Item		Unit	Before design optimization	After design optimization	Decrease
Permanent LA	Cultivated land	mu	73.74	38.24	-35.50
Cultivated land acquisition	Affected households	HH	15	9	-6
	Affected people	Person	62	41	-21

Source: The design institute and resettlement socio-economic survey (January 2018)

### 3. Scope of Land Acquisition

#### 3.1. Methodology and Procedures

8. The Zhenkang PMO and resettlement preparation units conducted a site survey and household survey to identify the project impact scope in January 19 to 21, 2018 with Zhenkang Health and Family Planning Bureau and Nansan town.

9. On January 19, 2018, the resettlement experts held a meeting with Health and Family Planning Bureau of Lincang City to discuss the proposed project in general and resettlement in particular. Both the PRC and ADB's policies related to involuntary resettlement and indigenous peoples, and contents required for the RP and EMDP were introduced and discussed during the meeting.

10. During January 20 to 22, 2018, with the assistance of the resettlement consultants engaged during project preparation, the resettlement preparation unit organized relevant staff to conduct a detailed survey of the physical indicators of the affected population, houses, land and special facilities, as well as the affected residents and rural collective economic organizations.

11. The surveys were conducted in a combination of field investigation, data collection and inquiry, questionnaire survey and interview. Socio-economic survey was gender-sensitive. Women were consulted to elicit their opinions and suggestions; and the findings were included in the RP.

**Land acquisition survey:** The survey team surveyed the area of the acquired land by ownership and type after the DI defined the range of land acquisition by field setting-out.

**House demolition survey:** Location, structure and area of affected houses and buildings were surveyed.

**Socio-economic survey:** Given the small number of affected households, all were covered in the socio-economic survey to determine population, gender, ethnic group, age, educational level and employment status.

**Trees and other physical assets survey:** Trees and other physical assets within the affected areas were inventoried. It also categorized fruit trees and other type of trees.

#### 3.2. Summary of LA and HD Impacts

12. Land acquisition (LA) of the subproject is mainly caused by the construction of China-Myanmar Friendship Hospital project. And it will affect 1 town (Nansan town), 1 village (Baiyan village), and 41 people from 9 households will be affected in Zhenkang county.

13. Zhenkang China-Myanmar Friendship Hospital Project and 1 access road, with total 123.50 mu of land will be used;

- (i) A total of 38.24 mu collective cultivated land will be acquired which will affect 9 households (41 people) in Baiyan Village, Nansan town. All households belong to the Deang ethnic minorities.
- (ii) A total of 85.26 mu state-owned construction land, including 1 access road (700 meters long and 30 meters width). All the 85.26 mu of land was already acquired before. A DDR was prepared (Appendix 1).

*Table 3-1: Summary of Project LAR Impacts*

Items		Total
Affected towns		1
		Nansan town
Affected Villages/Communities		1
		Baiyan village
State-owned land (mu) (DDR)	Subtotal	85.26
	State-owned Construction land	85.26
Collective land (mu)	Subtotal	38.24
	Cultivated land	38.24
Affected population	LA only (HH)	9
	Population (person)	41
Direct affect HH (HH)		9
Direct affect persons		41

Source: Resettlement and Social Survey in January 2018

### 3.3. Impact on Collective Land

14. A total of 38.24 mu collective land will be newly acquired permanently, all acquired land is used to plant sugarcane, and it will affect 41 people from 9 households, all these people are from the Daeng ethnic minorities.

**Picture 3-1: Acquired land in Baiyan village**

15. The affected people will only lose a small part of their land, so there's little impact to their production and income. The scope of average land loss rate is between 7.62% and 9.86%, and the total average land loss rate is 8.73%.

**Table 3-2: Land Loss Rate analysis**

No	Ethnicity	Family number	LA Area (mu)	Acquired land area	Land loss Rate
				(mu)	
1	Deang	5	36	2.81	7.81%
2	Deang	3	28	2.42	8.64%
3	Deang	3	42	4.14	9.86%
4	Deang	5	80	6.74	8.43%

5	Deang	4	52	4.36	8.38%
6	Deang	6	60	5.84	9.73%
7	Deang	6	26	2.44	9.38%
8	Deang	5	73	5.56	7.62%
9	Deang	4	41	3.93	9.59%
Total		41	438	38.24	8.73%

Source: socio-economic survey January 2018

16. According to the present average annual output Value and the acquired land area we could get the annual loss, net income formula for planting crops:

$$V_i = (g_i \times p_i) - f_i \quad (V_i \text{ net income/mu; } g_i \text{ per mu yield; } p_i \text{ market price; } f_i$$

17. For example, if the farmer planting sugarcane, through the survey, it was found that the yield is 5 t/mu. The market price is 420 yuan/t, the total planting investment is 500 yuan/mu, therefore the net income is  $((5 \times 420 \text{ yuan/t}) - 500 \text{ yuan/mu}) = 1600 \text{ yuan/mu}$ ; Based on the current average annual output value, the estimated annual loss is 63,840 yuan; the land compensation is 25.94 times much than the loss of agriculture. See in Table 3-4.

**Table 3-3: Comparison of Income loss and compensation fee**

Village	Affected HH	Land loss area (mu)	A. Income loss (CNY10,000 / year)	B. Land compensation fee (CNY10,000)				B/A
				Type	Total Land compensation	Young crops fees	Total	
1	9	38.24	6.12	Cultivated land (nursery land)	$38.24 \text{ mu} \times 37908 \text{ yuan/mu} = 1449601.92 \text{ yuan}$	137400	1587000	25.94

Remark: Income loss is CNY1,600/mu of planting net income

### 3.4. LA for State-owned Land

18. According the survey, a total of 85.26 mu state-owned land will be occupied, through site survey and confirmed by Land Resource Bureau, all the occupied land belongs to state-owned construction land, no ground attachments or buildings will be involved. Besides, the subproject is a public utility project, no need to compensate to the state-owned land, the relevant land procedures are needed, before the implementation of the subproject. The LA work of this part has been completed in 2016, according to the policy of ADB, it needs to prepare a Due Diligence Report for the finished land acquisition of collective land, and the Due Diligence Report have been finished, see details in appendix 1.

### 3.5. Affected Trees

19. The affected trees are presented in the table below. Mostly bamboos followed by macadamia nut trees and bananas.

**Table 3-4: Affected Trees**

Item	Compensation standards (yuan )	Total	Nature
Banana	5	30	Individual
Bamboo	15	105	Individual
Macadamia nut	60	80	Individual

Source: Socio-economic survey January 2018

### 3.6. Affected Vulnerable Groups

20. Vulnerable groups in the subproject refer to those individuals and their families whose living standard is lower than the minimal living standard line of Zhenkang county (the subsidy standard is 520 yuan/person/month, and the standard of rural subsistence allowance is 275 yuan/person/month in Zhenkang county), including orphan, aged people, handicapped people, mentally disabled persons, impoverished people, and women headed households.

21. According to the socio-economic household survey and confirmed by village committee, the affected Daeng households are not vulnerable .

### 3.7. Affected Ethnic Minorities

22. The subproject will affect 9 households (41 people), all of whom Deang ethnic minorities. As for the ethnic minorities who will be affected by LA, they are mainly engaged in agricultural production. They mainly live together with their own people. Their land resource use rights for the will not be affected by LA. The affected minority people in the project enjoy the local social status, and their economic status which is consistent with the Han, they retain their national characteristics in terms of habits and religion. In terms of language, they have their own language but they do not have specific written characters. In daily communications, the Deang can understand the language of the Han, and they also use Han language as their own language. The impacts in terms of land acquisition is found to be marginal.

## 4. Socio-Economic Profile of Affected Households

23. To learn more about their living and production condition and the suggestions to the subproject of the affected people, under the guide of resettlement experts, the Zhenkang PMO, the design institute and RP preparation unit together with Zhenkang Health and Family Planning Bureau and Nansan town government carried out the field survey and social economic survey among the subproject area during June to January 2018. The survey carried on among the different groups of economic condition, nationalities, gender, ages, etc., to learn about the condition of LA and HD residents and what they need. Given the different people has different demands to the subproject, the specific analysis to the demands of different people will benefit to the identification of the subproject impact and avoid the negative impact of the subproject as can as possible and promote the smooth implementation of the subproject. All households were surveyed. Interviews, discussions, observations and other methods were also used to have a full understanding with the affected groups.

## 4.1. Socioeconomic Status

24. **Zhenkang county** belongs to Lincang City. It is located in the southwest of Yunnan province, and in the west part of Lincang city, between the downstream of Nanting river and the downstream of Nu river, Gengma county to the south, Yongde county to the east, Guogan county of Myanmar to the west, a river between it and Longling county to the north, which is one of 25 border counties in Yunnan province. The perimeter of the county is 318.7km, and the boundary line is 96.358 km. there is one national class two ports and six border resident trade markets. The county covers an area of 2529.3 square kilometers, of which the mountainous area accounts for 98%, and the area of the semi-mountainous area and the dam area accounts for 2%. Nansan town is 728 km away from Kunming, 255 km from Lincang City.

25. The total GDP in 2015 achieved 3.918 billion yuan, increased 10.0%, in which the first industry increased 0.056 billion yuan, the percentage increased 6.1%; the second industry increased 0.132 billion yuan, the percentage increased 14.2%; the third industry increased 0.218 billion yuan, the percentage increased 10.8%. The tertiary industry ratio is 22.9:31.7:45.4.

26. **Nansan Town** located in Zhenkang county, it is the political, economic, cultural and trade center of the whole county. The first special zone Guogan of Myanmar to the west, the boundary line is 47.583 km. The total cultivated land area is 111600 mu, per capita 3.53mu. And the total population is 45100 people (31500 rural people). It has 16 ethnic groups such as Deang, Dai, Miao, Wa and son on and it also has 2 communities and 14 village committees.

27. **Baiyan village** is located in the southeast of Zhenkang county, 5 km away from the county, mainly Deang, Yi, Miao and Bai and so on live there. It has a population of 4009 people (828 households). Han. The village covers an area of 21055 mu cultivated land and the per capita land is 5.25 mu. By 2016, per capita annual income achieved 11005 Yuan.

## 4.2. Socioeconomic Profile of Affected People

28. During January 19 to 22, 2018, the Zhenkang PMO, RP preparation agency and LRB organized relevant staff to conduct a detailed survey of the physical indicators of the affected population, houses, land and special facilities, as well as the affected residents and rural collective economic organizations.



**Picture 4-1: Socioeconomic Questionnaire Survey on Affected People****4.2.1. Affected population**

29. The demographic characteristics of the APs are shown in Table 4-1, including different gender, age, population composition, education and occupation. Among which, 21 are male, and 20 are female; and all people are Deang ethnic minorities.

**Table 4-1: Demographic Profile of Surveyed Households**

Type	Men		Women		Total	
	Qty.	%	Qty.	%	Qty.	%
Households					9	100%
population					41	100%
<b>Age</b>						
≤6	2	4.88%	4	9.76%	6	14.63%
7-19	6	14.63%	4	9.76%	10	24.39%
20-35	3	7.32%	5	12.2%	8	19.1%
36-50	5	12.2%	4	9.76%	9	2.95%
51-60	2	4.88%	0	0	2	4.8%
≥61	3	7.32%	3	7.32%	6	14.63%
Subtotal	21	51.22%	20	48.78%	41	100%
<b>Ethnics</b>						
Deang	21	51.22%	20	48.78%	41	100%
Subtotal	21	51.22%	20	48.78%	41	100%
<b>marital status</b>						
Unmarried	7	17.07%	6	14.63%	13	31.71%
Married	12	29.27%	12	29.27%	24	58.54%
Divorce	1	2.44%	1	2.44%	2	4.88%
Widowed	1	2.44%	1	2.44%	2	4.88%
Subtotal	21	51.22%	20	48.78%	41	100%
<b>Education level</b>						
Preschool	2	4.88%	4	9.76%	6	14.63%
Illiterate or semiliterate	2	4.88%	3	7.32%	5	12.2%
Primary school	10	24.39%	12	29.27%	22	53.66%

Junior high school	4	9.76%	1	2.44%	5	12.2%
Senior high school or technical secondary school	2	4.88%	0	0	2	4.88%
Junior college or above	1	2.44	0	0	1	2.44%
Subtotal	21	51.22%	20	48.78%	41	100%
<b>Occupation</b>						
Farming	10	34.48%	8	27.59%	18	62.07%
Outside Workers	2	6.90%	3	10.34%	5	17.24%
Retired	3	10.34%	3	10.34%	6	20.69%
Subtotal	15	51.72%	14	48.28%	29	100%

Source: Socio-economic survey January 2018, Household sample: n=9 HHs, Population sample: n=41

*Note: (1) the retirement age here refers to men over 65 and women over 60 years of age, so the labor force is the people under the retire age and over 16 years; (2) preschool children refer to children aged 0 to 6 years; (3) the rest of the occupation refers to the occupation and the non-working capacity of the elderly who are not involved in this table; (4) the population of the students and pre-school students has been deducted in the occupation section.*

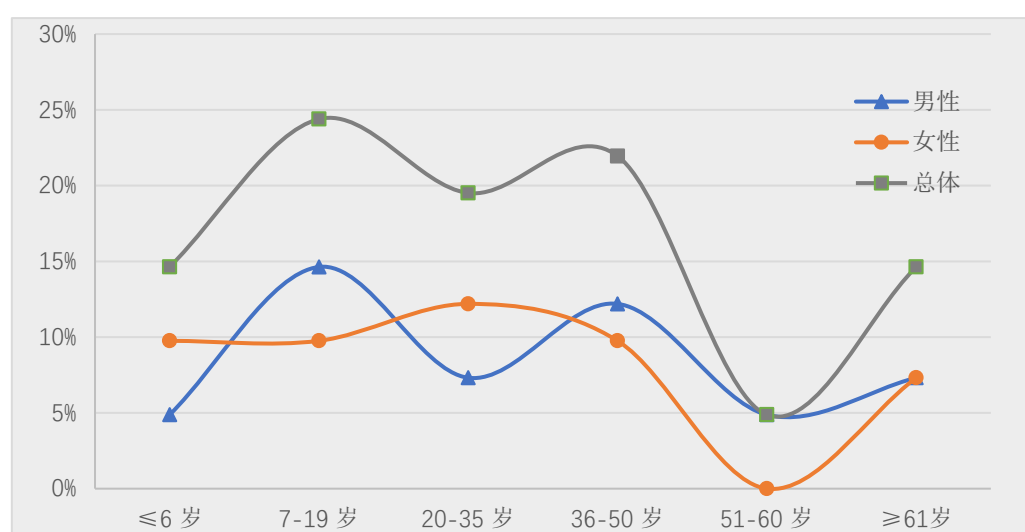
#### 4.2.2. Age

30. The age distribution reveals that 7-19 age groups account most for 24.39% of the total population, of which, in 7-19 age group male for 14.63% and female for 9.76%, in 36-50 age groups male for 12.20% and female for 9.76% ; in addition, 20-35 age groups and 36-50 age group also accounts for a high proportion, which are main part of labor force; In addition, 0-6 age groups accounts for 14.63%. (See figure 4-1).

Age	Male	Female	Total	Studying Age	Beyond studying age
≤6	2	4	6	Of these 6 people, including 2 are receiving kindergarten, and 4 are not studying yet. Total = 6	n/a
7-19	6	4	10	Of the 10 people, 6 are on school now, including 3 for primary school, 1 for senior high school, and 2 for college. Total = 6	2 received primary school level before, and 2 received junior high school level before. Total = 4
20-35	3	5	8	n/a	7 received primary school level, and 1 has no formal education. Sub Total = 8
36-50	5	4	9	n/a	1 has no formal education, 4 received primary school level, 2 received junior high school level, 1 received senior high school level, and 1 received technical secondary school level. Total = 9



Age	Male	Female	Total	Studying Age	Beyond studying age
51-60	2	0	2	n/a	2-people received primary school level.
≥61	3	3	6	n/a	Of the 6 people, 3 have no formal education, and another 3 received primary school level. Total = 6
Subtotal	21	20	41		



**Figure 4-1: Age distribution of Affected People**

31. Based on the survey, many male family members over 60 and female over 55 are still engaged in social work. However, the definition of actual labor force should be defined in the section of 16 to 65 - year - old male and 16 to 60 years old female, who have stopped school education. According to this, the total number of labor force accounts for more than 68.29% of people surveyed.

### 4.2.3. Education

32. Among the affected people, 53.66% of affected people received elementary school education, followed by high school / technical secondary school degree and elementary school for 12.20% and 4.88% respectively, 2.44% of surveyed people has completed or are receiving senior high school or even more higher education. From the figure we found that, the educational attainment of those beyond studying age is quite low--- 18 (60%) reached primary school level; followed by 2 who reached junior high school and 1 senior high school. Three stated they have no formal education. One member received technical secondary level.

#### 4.2.4. Occupation

33. Of the 29 persons in the labor force, there are 18 (62%) stated they are engaged in farming (planting sugarcane) while 5 (17%) derive income from labor. There are 6 who are retirees and receive pension. Male slightly outnumber female 15:14.

**Table 4-2: Occupation/Source of Income**

Occupation //Source of Income	Male	Female	Total	%
Farming	10	8	18	62%
Labor	2	3	5	17%
Retiree (derive pension)	3	3	6	21%
Total	15	14	29	100%

#### 4.2.5. Households Assets

34. Among surveyed households, all affected households have televisions, mobile phones, refrigerator; electric rice cooker and washing machine are more than 100%. Electric motor car and car ownership is more than 66.67%, through the survey we found that the owning rate of family assets is high, including PC for 33.33%, motorcycle for 66.67% and car for 66.67%; to some extent, reflects the inevitable requirement of modern life to families and individuals, and also reflects that the living conditions of the farmers are high, and the quality of farmers' life is not affected by the living environment. Details of other family durable goods show in Table 4-3.

**Table 4-3: Selected Households Assets of Affected Households**

Item	Household	Possession rate	Average qty. per household	Average qty. per capita
Air-condition	1	11.11%	0.11	0.02
Bicycle	3	22.22%	0.33	0.07
Electric cooker	9	100%	1.00	0.22
PC	3	33.33%	0.33	0.07
Washing machine	3	100%	1.00	0.22
TV set	10	100%	1.11	0.24
Refrigerator	9	100%	1.00	0.22
Tractor	2	22.22%	0.22	0.05
Electric vehicle	4	44.44%	0.44	0.1
Motorcycle	6	66.67%	0.67	0.15
Cars	6	66.67%	0.67	0.15
Cell phone	32	100%	3.56	0.78
Tricycle	1	11.11%	0.11	0.02

Source: Socio-economic survey, January 2018

#### 4.2.6. Income and Expenditure

35. Due to most households affected by new hospital project from Baiyan village of Nansan town in Zhenkang county, the economic income of Baiyan village is mainly from planting. At present,

farmer's main income source is agricultural income, accounting for 49.26% of total income. However, some farmers are not confined to planting sugarcane, they have chosen to work outside. The average of the household income and expenditure per capita of the 9 HHs are shown in Table 4-4.

**Table 4-4: Economic Statistics of the Sample Per Capita in 2017**

Unit: Yuan/Year/Person

Type	HHs	Item	Min	Max	Average	Standard deviation
Affect farmers	9	Annual per capita income (yuan)	7000	83800	29391.67	23815.64
		Annual per capita expenditure (yuan)	3216	10680	6142.93	2609.27

Source: Socio-economic survey, January 2018

36. From Table 4-5, 50% of household's source of income is from farming while 25% is derived from work as laborers. industry, in addition, farmers are not only engaged in planting, other family members are also engaged in other industries, such as, working outside; the income of villagers in project area is not confined in agricultural income, of which, the planting income accounting for 49.26%; most farmers in project area choose to work outside, accounting for 25.66%, shop rent accounting for 19.39%; in addition, the wage income accounting for 3.91%. From the whole income we found that the income structure of farmers also shows diversification. See table 4-5.

**Table 4-5: Average Household Income Sources of Affected Households in 2017**

Unit: Yuan/year/HH

Items	Planting	Working outside	House or shop rent	Wage	Land rent	Other	Total
APs	38611.11	20111.11	15200.00	3066.67	266.67	1122.22	78377.78
Proportion	49.26%	25.66%	19.39%	3.91%	0.34%	1.43%	100%

Source: Socio-economic survey, January 2018, sample: N=9 HHs

37. The affected farmers invested a large amount in living expenses, accounting for 31.88% of the total income, followed by education expenditure and agricultural inputs, as shown in table 4-6.

**Table 4-6: Average Household Expenditure Pattern of Affected Households in 2017**

Item	household	
	Average household (Yuan)	Proportion
Water expenses	435.56	1.56%
Electricity expenses	1102.22	3.94%
Garbage expenses	133.33	0.48%

Item	household	
	Average household (Yuan)	Proportion
living expenses	8922.22	31.88%
Clothing expenses	3000	10.72%
Investment in agriculture	2177.78	7.78%
Educational expenses	5333.33	19.06%
Medical expenses	1322.22	4.72%
Traffic expenses	1955.56	6.99%
Communication expenses	162.22	5.73%
Social activity expenses	2000	7.15%
Total	26544.44	100%

Source: Socio-economic survey, January 2018, sample: N=9 HHs

### 4.3. Gender Analysis

38. With the exception of those who are 6 years old and below, the number of male members who are studying or who reached some level of education slightly outnumber female members at 53.66%. Annual income is also higher for male at 28,634.23 yuan. It is 19,105 yuan for female laborers. It is because that men work outside for non-farm activities while women are mainly engaged in agricultural production. Men choose to work outside and other high-salary industries, so the income of women is slightly lower than that of men.

39. More and more women begin to earn income, and have a greater voice on important household matters, such as children's education and housing purchase. They also assume the responsibility of taking care of children and doing housework. Women would take part in social activities like men do in leisure time to maintain family income, their position in family life and agricultural production is also indispensable. Women as one of the family economic source began to have more decision-making power in the family, and the role of men and women tended to be more equal.

40. According to the survey, women's concerns about resettlement are essentially the same as those of men:

- (i) Compensation standard of house and land, compensation for houses should be available timely;
- (ii) Jobs generated by the project should be provided to women so that they participate in the project.
- (iii) For cultivated land acquisition, they hope to be given reasonable compensation according to the policies of PRC and Yunnan province, and be given some breeding industry training and planting training.

## 5. Legal Framework and Policies

### 5.1. Laws Regulations and Policies Applicable to Resettlement

41. The resettlement policies of the project have been developed in accordance with the laws and regulations of the PRC, and ADB's policies, including:

#### **ADB policies:**

- Safeguard Policy Statement (2009)

#### **Laws and regulations of the PRC**

- Land Administration Law of the PRC (effective from January 1, 1999, amended on August 28, 2004)
- Decision of the State Council on Deepening the Reform and Rigidly Enforcing Land Administration (SC [2004] No.28) (effective from October 21, 2004)
- Guidelines on Improving Compensation and Resettlement Systems for Land Acquisition (MLR [2004] No.238) (effective from November 3, 2004)
- Property Law of the PRC (Decree No.62 of the PRC, effective from October 1, 2007)

#### **Policies of Yunnan Province**

- Yunnan Government Documents: Cultivated Land Occupation Tax Implementation Measures of Yunnan Province
- Yunnan Price Bureau (YJZH [2011] No.18) documents
- The Comprehensive Land Price Compensation Standard for the Unified Annual Output Value of Land Expropriation in Yunnan Province [GTTF (2009) No.23].
- Notice on Land Acquisition Compensation Standard for the 15 Prefectures (Municipalities) in Yunnan Province (amended) issued by the Yunnan Provincial Land Resources Department [YGTZ (2014) No.27]
- Notice on Land Expropriation and Attachments Compensation Scheme of Zhenkang Border Industrial Park issued by People's Government of Zhenkang county [ZZBF (2011) No.45]
- Approval on improvements of the first urban construction farmland transfer and land expropriation of Zhenkang county in 2014 issued by Yunnan Land Resources Bureau [YGTZF (2015) No.115]
- Notice on adjustments of the first urban construction land (industrial park area) expropriation compensation, resettlement and attachments compensation of Zhenkang county in 2014 issued by People's Government of Zhenkang county [ZZF (2016) No.54]

## 5.2. ADB's Policy Requirement on Involuntary Resettlement

42. The objectives of ADB's Involuntary Resettlement Policy 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; and (iv) Improve the living standard of displaced poor and other vulnerable groups.

## 5.3. Differences between ADB and PRC Policies

43. The main aspects of the legal system include the collective land acquisition, the procedures for transferring collective land to the state, house demolition on collective land in rural areas, and house demolition on state-owned land in urban areas triggering the need for compensating and relocating persons, households, and communities. Key gaps between SPS and the PRC's system and how to bridge the gaps are as follows:

(i) **Lack of identification of the poor and vulnerable groups during the screening process.**

44. Specific to vulnerable households (men, women, ethnic groups), they are identified by the Government as those who belong to the (i) Five-Guarantee program (the elderly, weak, widowed and disabled members who are unable to work and have no means of living, or whose households lack labor) who are being provided with production and living assistance (e.g. food, clothing, fuel, education and burial expenses) and (ii) those eligible for the Minimum Living Guarantee System and are provided with living subsidy each month. Furthermore, identification of the poor and vulnerable households is only done during implementation.

45. Those who are not considered as vulnerable groups as per Government definition but may become at risk of being vulnerable or experience hardship due to impacts of LA/HD; i.e., may need special support during the transition period (e.g. during relocation such as provision of labor, transport) will also be identified and will be provided with necessary assistance.

46. Those being ethnic minority but do not fall under the Government criteria requires greater in-depth assessment during DMS to determine their vulnerability factor. Impacts are found to be marginal. However, it will be verified during RP updating.

(ii) **Lack of documentation on the consultation and information disclosure activities, and grievances received.**

47. Meetings and interviews held with the affected households are reflected in the RP and will continue to be documented during RP updating and implementation. The grievance redress will

also be documented as part of the monitoring reports. Disclosure of the key information in the RP will be carried out through the distribution of resettlement information booklets in local language.

**(iii) Inadequate social and risk analysis as resettlement planning is focused on loss of land and impacts on houses.**

48. Impact assessment was carried out during RP planning through the conduct of socio-economic surveys, consultation meetings, inventory of losses, and key informant interviews. Gender analysis was also carried out. Such measures led to the preparation of project entitlements, relocation, rehabilitation, and gender strategies; and they are reflected in this RP.

**(iv) Assistance to households who are not eligible for compensation of houses at replacement cost.**

49. Based on the Regulations on the Demolition and Compensation of Houses on State-owned Land (2011), the illegal houses and temporary structures which were constructed after the approval period will not be compensated. However, if the APs belong to the vulnerable groups and in need of housing, they will be assisted in securing affordable housing or low-rent housing which is according to the Regulations to Solve the Housing Difficulties for the Low Income HHs issued by State Council [GF 2007, No 24], affordable housing and low-rent housing should be provided to the households who have housing difficulties. The demolished HHs can apply the affordable housing and low-rent housing.

50. Compensation for non-land assets will be at replacement cost and provision of resettlement assistance similar to those who have licensed houses provided that the affected households meet the Project's cut-off date. If an earlier cut-off date has been established by the Government, the Government's cut-off date will be followed provided that the following conditions are met: (i) copy of Halt Notice for Land Acquisition and House Demolition/ pre-notice for Land Acquisition and House Demolition published, (ii) documents confirming dissemination of information (billboards, minutes of public meetings, letters to households, newspapers, websites, broadcast, etc.), and (iii) confirmation from households that they were informed about the cut-off-date verbally and in writing. For households who are not eligible for compensation for houses at replacement cost, the history or reason why the structure has no certification/license; and their socio-economic conditions and vulnerability will be assessed by the Project (through its local government and concerned bureaus) to determine the necessary assistance that can be provided to them to ensure that they will be able to restore or will not be worse-off.

51. In this subproject, there is no house demolition impact.

## **(v) Inadequate monitoring and reporting arrangements**

52. Monitoring is not done on a regular basis. Each implementing agencies have their own way of monitoring and documenting the process.

53. For this subproject, regular monitoring and submission of monitoring reports will be carried out. Monitoring reports will be disclosed in public. All monitoring reports will be submitted to ADB.

## **5.4. Eligibility and Beneficiaries**

54. The cut-off date for eligibility for the compensation the time when the Project is officially announced to the affected villages. Announcement can be through distribution of resettlement information booklet or posting notices in the village community boards. Any newly claimed land, newly built house, newly reclaimed cultivated land or settlement in the project area by the APs after this date will not be entitled to the compensation or subsidization.

## **5.5. Compensation Rates**

### **5.5.1. Compensation Rates for State-owned Land**

55. The project is of construction of public utilities, so the state-owned farm land and unused land will be allocated by transferring land use right after payment for relevant fees, based on the document of Lincang city Development Planning Commission, finance department [CZ (2006) No.48] about issuing relevant administrative rates of Lincang city land and resources system land management, state-owned land and cultivated land is required to pay 10 yuan/m<sup>2</sup> for new construction land to land and resources department.

### **5.5.2. Compensation Rate for Collective Cultivated Land**

56. Cultivated land compensation is according to Notice on Land Acquisition Compensation Standard for the 15 Prefectures (Municipalities) in Yunnan Province (amended) issued by the Yunnan Provincial Land Resources Department [YGTZ(2014) No.27], Notice on adjustments of the first urban construction land (industrial park area) expropriation compensation, resettlement and attachments compensation of Zhenkang county in 2014 issued by People's Government of Zhenkang county [ZZF (2016) No.54] and other documents to pay and resettle (including both land compensation and resettlement subsidy), as shown in Table 5-1.



**Table 5-1: Cultivated land compensation**

Item	No	Land type	Annual output standard yuan/mu)	Times	yuan/mu
Class I	1	Paddy field	1458	26	37908
	2	Dry land	1458	26	37908
	3	Terraced field	1458	26	37908
	4	Dry land (slope dry land)	1458	26	37908
	5	Collective construction land	1458	26	37908
	6	Grassland	1458	18	26244
	7	Unused land	1458	17	24786

Source: Zhenkang Land and Resource Bureau

57. According to the survey, the land acquisition compensation standard of Yunnan province is based on the Unified Annual Output Value, land location factors, social economic conditions, and the income of the farmers, to promise that the living condition of the farmers will not be decreased because of the LA, and guarantee their long-term livelihood; in 2014, the people's government of Yunnan province determined the unified annual output value of land expropriation compensation standard, and in 2016, the people's government of Zhenkang county increased the multiple compensation. The unified annual output value refers to under the dominant farming system and the annual production and the market price of main crop as the foundation, annual value of crop production is equal to the product of the average annual output of major crops and the price of main crop, so it is also the benefits of land. After investigation, the unified annual output crops value of Zhenkang county is 1458 yuan/mu; cultivated land can be compensated for 37,908 yuan/mu (excluding compensation fee for young crops), the compensation base is 26 times. Both the compensation of collective cultivated land and state-owned cultivated land apply to Notice on Land Acquisition Compensation Standard for the 15 Prefectures (Municipalities) in Yunnan Province (amended) issued by the Yunnan Provincial Land Resources Department [YGTZ (2014) No.27], Approval on improvements of the first urban construction farmland transfer and land expropriation of Zhenkang county in 2014 issued by Yunnan Land Resources Bureau [YGTZF (2015) No.11].

### 5.5.3. Compensation Standards for Cultivated Land, Crops, and Trees

58. Compensation for young crops and attachments is paid according to Notice on the compensation standard of land expropriation and attachments in Zhenkang border industrial park issued by people's government office of Zhenkang [ZZBF (2011) No.45] after reasonable adjustments, details are as follows:

- (i) One-time compensation of 3595 yuan for the first season, one-time compensation of 3125 yuan for the second season, one-time compensation of 2655 yuan for the third season, one-time compensation of 2185 yuan for the fourth season, one-time compensation of 1715 yuan for the fifth season and the following season.

- (ii) Macadamia nut tree is according to the planting years and its development, and is subject to the assessment of forestry department, nut under one year is compensated for 20 yuan per tree, one year to five years is compensated for 80 yuan per tree, over five years (bearing fruit) for 250 yuan per tree. Per mu land is calculated under 25 trees.
- (iii) The banana over 60 centimeters is compensated for 5 yuan per tree, no compensation for under 60 centimeters.
- (iv) Bamboo: *dendrocalamus giganteus* is compensated for 15 yuan per tree, *dendrocalamus brandisii* is compensated for 20 yuan per tree.

59. The working group shall negotiate the compensation on the spot according to the actual situation when the young crops and the attachments are not included in the compensation scope.

60. In accordance with Article 26 of the "Regulations for the Implementation of Land Administration Law"-The land compensation paid to the rural collective economic organizations", and later all the villagers will have meetings to discuss how to use the compensation. However, after the village meeting, making a deal with that the land compensation fee will be paid to affected people. Therefore, all compensation fees, including land compensation fees, resettlement fees and compensation fees for young crops, will be paid to the affected people.

#### 5.5.4. Land Taxes and Other Fees

61. Land taxes and other fees are shown in Table 5-2. These costs will be shouldered by the Project.

**Table 5-2: Related Tax and other Fees**

No	Project	Standard	Remarks
1	Reclamation fee of cultivated land	9000 yuan/mu	YJZH [2011] No.18, according to paddy field (including vegetable land) 10500 yuan/mu, dry land for 9000 yuan/mu
2	Paid use fee of newly construction land	6667 yuan/mu	CZ [2006] No.48, 10 yuan/m <sup>2</sup>
3	Cultivated land occupation taxes	13333.4 yuan/mu	<i>Implementation measures of cultivated land expropriation taxes in Yunnan province</i> , 20 yuan/m <sup>2</sup> , local unit pay the tax to tax department
4	Surveying fee	333.34 yuan/mu	0.5 yuan/m <sup>2</sup>

Source: Zhenkang Land and Resource Bureau

**Table 5-3: Entitlement Matrix**

Type of Impact	Impact Scope	APs	Entitlements
Acquisition of Collective Land	38.24 mu collective land of Baiyan Village collective will be acquired permanently	Affect 9 HHs with 41 APs, all of them are Deang ethnic minority	<p>Rights: (i) the affected farmers will receive 37,908 yuan/mu of land compensation, and 100% of young crops compensation;</p> <p>In terms of Zhenkang subproject, the 37908yuan/mu of compensation fund including land compensation and resettlement subsidy, which is not separated.</p> <p>(b) the affected HHs will be arranged with unskilled work during the construction period to maximize benefits from the project.</p> <p>(c)the PMO will provide technical training for APs, inviting the technical staffs from agricultural sector and the labor and social security bureau to carry out trainings on farming and non-agricultural production.</p>
Crops and Trees	38.24 mu collective land of Baiyan Village collective will be acquired permanently	Affect 9 HHs with 41 APs, all of them are Deang ethnic minority	<p>(i) One-time compensation of 3595 yuan for the first season, one-time compensation of 3125 yuan for the second season, one-time compensation of 2655 yuan for the third season, one-time compensation of 2185 yuan for the fourth season, one-time compensation of 1715 yuan for the fifth season and the following season.</p> <p>(ii) Macadamia nut tree is according to the planting years and its development, and is subject to the assessment of forestry department, nut under one year is compensated for 20 yuan per tree, one year to five years is compensated for 80 yuan per tree, over five years (bearing fruit) for 250 yuan per tree. Per mu land is calculated under 25 trees.</p> <p>(iii) The banana over 60 centimeters is compensated for 5 yuan per tree, no compensation for under 60 centimeters.</p> <p>(iv) Bamboo: dendrocalamus giganteus is compensated for 15 yuan per tree, dendrocalamus brandisii is compensated for 20 yuan per tree.</p>

## 5.6. Resettlement Program and Restoration Plan for LA Households

62. According to affected households, cash compensation is what they prefer and they also ask that the compensation should be paid on time. They plan to use it for business, farming or skill training and so on.

63. Although the impacts are found to be marginal for affected households, different types of advice on potential job opportunities and trainings will be offered in Zhengyan County.

(i) During construction, about 30 cleaners and security guards are needed. Through the training of the human resources and social security bureau, the land-loss farmers could understand the basic knowledge and skills of the service industry as soon as possible and increase the ratio of workers to raise the income.

(ii) Start-up funds from the compensation payments. If the affected households opt to invest into business, they will be guided by the Labor and Social Security Bureau. The PMO will coordinate the procedures to ensure that the affected households will have access to training and support. Potential investments are presented below. This is subject to further assessment during implementation to ensure that there is market, including risks associated for such type of business.

**Table 5-4: Potential Business Opportunities**

Item		Initial fund	Benefit	Remark	Responsible agency
Invested business	Transportation	150,000 yuan (equivalent to 4 mu of land compensation)	Annual income achieved 72,000, it can recover the cost in 3 years.	Zhenkang County is one of the 26 border counties. Large quantities of goods come in and out of the county every year and farmers can use land compensation to buy trucks for transport. It needs properly drive training and PMO can help to contact the nearby driving school to study according to their own wildlings, and they should pay their own.	Labor and social security bureau is responsible for training and employment guidance; and the PMO is responsible for the coordination of the relevant procedures.
	Department Shop/store	35,000 yuan (equivalent to 0.4 mu of land compensation)	Annual income achieved 20,000, it can recover the cost in 2 years.	The affected households that choose this option need to use land compensation to rent a house near the street, and only one person can run the shop. The project office can coordinate and assist the affected person to handle the relevant formalities of the business license of the store.	

(iii) Different types of trainings are being offered in Cangyuan County. Affected households will be given priority:

- a) Agricultural Skills Training. The County Agricultural Bureau is responsible for providing free skills training for farmers. Subsidies are also provided (200-300 yuan/person) which will be used for the needed materials, rental fee of training site and training teachers. According to the consultation between the PMO and the county agriculture bureau, the affected farmers will be given priority to participate the training. Affected households will have training of 10-15 person-times; for every affected household, they can participate in the training for 1-2 times. Of which, 50% of the training will be provided to women.
- b) Vocational Skills Training. The Labor and Social Security Bureau is responsible in carrying out vocational skills training in service industry. Some types of training are: housekeeping and security guards. According to the consultation between the PMO and the Labor Social Security Bureau, the affected farmers will be given priority to participate in the training. Affected households will have training of 5 person-times; for every affected household, they can participate in the training for 1-2 times. Of which, 50% of the training will be provided to women.

64. All training expenses including organization funds, textbook fee, printing materials cost, appraisal fee, practice fee and teachers' salaries will be shouldered by the Cangyuan Agricultural and Social Security Bureaus first and the Cangyuan County will pay the concerned bureaus.

**Table 5-5: Arrangements for Training**

No	Type of training	Target groups	Expected training costs (10,000 yuan)	Person-times	Female	Time
1	Farming technique	AHs	0.3	15	7	2018. 12–2019-12
2	Breeding training	AHs	0.25	10	5	2018. 12–2019-12
3	Skill training:	AHs	0.15	5	3	2018. 12–2019-12
	Housekeeping					
	Cleaner, security guard					
4	Total		0.7	30	15	

Note: this cost is from government, not include in the whole project.

## 6. Public Participation and Grievance Redress

65. According to relevant policies and regulations of the PRC, regional and municipal on LAR, it is very necessary to conduct public consultation and encourage active participation of APs in project preparation and implementation stages to protect the lawful rights and interests of the APs, reduce grievances and disputes, and realize the resettlement objectives properly. Consultation has been fully highlighted during preparing RP and organizing implementation.

### 6.1. Consultation at Preparation Stage

#### 6.1.1. Completed Public Participation Activities

66. As to all significant topics for discussion involved in the planning stage of resettlement, the PMO has organized meetings and discussions of design institute (DI), consultant agency, local communities and APs to disclose information and conduct public consultation in various ways from January 19-- 21, 2018. Including:

- (i) Design optimization discussion in order to minimize land acquisition and resettlement impacts;
- (ii) Impact survey based on the FSR to get detailed information on population, houses, land, special facilities, APs, shops and enterprises in the project area;
- (iii) Consultation with managers of affected villages, to get the socio-economic background of them and discuss the LA options and the compensation standards with the villagers; and
- (iv) Zhenkang County had organized the representative meeting to discuss the LAR plan as well as the compensation standard, the female, the aged people and children included in the representative groups.



**Picture 6-1: Public Participation**

- (v) Zhenkang PMO along with RP preparation agency makes a further discussion with affected representatives on draft RP and information disclosure.
67. The public participation and consultation provided a basis for the improvement of the RP. During consultation, Deang language translator is arranged for the ethnic groups who can't speak Han language.
68. Through the meetings and society and economy surveys, it has been found that the AHs' main concerns are:
- (i) Since the LA area is not large, the LA will have little impact of their income condition. They only concern whether the compensation can be paid timely and whether crop cultivation training and livestock breeding technical training can be conducted.
  - (ii) During the survey and consulting for the LA compensation and resettlement, Zhenkang PMO together with resettlement agency have consulted with the APs on the compensation and resettlement issues and ask them if they need allocate of land or monetary compensation after the LA work, and all the APs choose the monetary compensation.
  - (iii) Due to the construction of the hospital, inconvenience to daily travel would be problems, the construction process may cause noise, dust, construction waste; and have to take measures to deal with or mitigate pollutions.
  - (iv) The hospital construction period and dates should be published promptly to inform the residents living nearby, let them know the inconvenience in advance.
69. Based on the above discussions, the PMO:
- (v) Has developed land acquisition compensation standards and will inform to the APs in advance. After the agreement is signed, the land compensation will be paid timely.
  - (vi) Discussed with Zhenlang People's Government about APs most concerned issues, such as the resettlement work, and discussed with the labor and social security bureau about the relevant training issues for AHs.
  - (vii) Discussed a satisfied resettlement plan for the APs with Zhenlang PMO and PRB. Some important issues during the project preparation consultation/meeting are listed in Table 6-1.



**Picture 6-2: Public Participation Activities during Project Preparation Stage**

**Table 6-1: Public Participation Activities during Project Preparation Stage**

Location	Date	Participants	Numbers of persons/female	Key Topics
Group leader's house of Baiyan village Xiaochanggou group	January 19, 2018	APs, PMO, cadres of Baiyan village, LRB, RP preparation agency	21/8	<ul style="list-style-type: none"> <li>➤ Introducing the background and purpose of the project</li> <li>➤ Investigate the expectation and necessity of the villagers' representatives on the project.</li> <li>➤ To conduct social and economic household surveys on affected families.</li> <li>➤ Consult the income sources of affected villages.</li> </ul>
Activity room of the Party of Health and Family Planning Bureau	January 20, 2018	APs, PMO, cadres of Nansan village, LRB, RP preparation agency	17/9	<ul style="list-style-type: none"> <li>➤ Training needs</li> <li>➤ Compensation plan</li> <li>➤ Restoration plan;</li> </ul>
PMO	January 21, 2018	APs, PMO, community office, LRB, RP preparation agency	13/7	<ul style="list-style-type: none"> <li>➤ Discuss the draft report on resettlement</li> <li>➤ Discuss future counseling plans</li> <li>➤ Future information disclosure plan</li> </ul>

## 6.2. Public Participation and Consultation Plan

70. This Resettlement Plan (RP) is prepared based on the Feasibility Study Report (FSR) and the socio-economic survey data of the subproject. The RP shall be updated according to the detailed measurement survey and census data of affected persons based on detailed design of the subproject; the updated RP shall be submitted to ADB for review and approved by ADB concurrence prior to start of LAR activities.

71. During the implementation of the subproject, the PMO, women's Federation, community

committee staffs will establish a cooperation mechanism, through held forum among women and other ways to learn about their demands, hopes at different stage of the subproject. During the whole progress of the subproject, the subproject implementation agency invited the women's Federation staffs to join in.

72. With the progress of project preparation and implementation, Zhenkang PMO, affected village committee, and communities will conduct further public participation, including the LA compensation standard, and the scope of training for the APs, disclosing construction issues, soliciting comments and expectations from the APs during implementation, disclosing the compensation rates and appeal channel, etc., and learning RP implementation progress and the APs' livelihood restoration.

**Table 6-2: Public Participation Plan**

Purpose	Mode	Time	Agencies	Participants	Topic
Disclosure of the RP or RIB	Distribution	2018.05	Zhenkang PMO	All APs	Disclosure of compensation rates, and appeal channel,
Disclosure of RP	ADB website	2018.06	ADB		Disclosure online
LA announcement	Bulletin board, village meeting	2018	Zhenkang PMO, LRB, affected villages/communities	All APs	Disclosure of LA area, compensation rates and LA schedule
RP updating following technical design	Bulletin board, village meeting	2018	Zhenkang PMO, LRB, affected villages/communities	All APs	Disclosure of compensation rates, and appeal channel, schedule
Announcement of compensation program for LA	Bulletin board, village meeting	2018	Zhenkang PMO, LRB, affected villages/communities	All APs	Compensation fees and mode of payment
Determination of compensation plan	Resident meeting	2018-2019	Zhenkang PMO, LRB, affected villages/communities	All APs	Discussing the final income restoration program and the program for use of compensation fees
Notification of compensation amounts and date of payment	Resident meeting	2018-2019	Zhenkang PMO, LRB, affected villages/communities	All APs	Notification of compensation fees and date of payment
Skill training arrangement	Resident meeting	2018-2019	Zhenkang PMO, LRB, affected villages/communities	All APs	Discussion of detail training requirements and timeframe
Monitoring for APs	Surveys. Consultations, meetings	2018 2020.12	Zhenkang PMO, LRB, affected villages/communities, external agency	Random sampling of the affected people	Learning RP implementation progress and the APs' livelihood restoration

### 6.3. Appeal Procedure

73. Since public participation is encouraged during the preparation and implementation of the RP, no substantial disputes are anticipated. However, unforeseeable circumstances may arise during this process. In order to address issues effectively and ensure the successful implementation of project construction and land acquisition, a transparent, accessible and effective grievance redress mechanism has been established. The system has shown in figure 6-3. The basic grievance redress system is as follows:



Stage 1: If any AP is dissatisfied with any land acquisition and resettlement of any other safeguards related problems, he/she may file an oral or written appeal with the community committee/sub-district office orally or in writing. In case of an oral appeal, the community committee/sub-district office shall handle such appeal and keep written records. Such appeal should be solved within 2 weeks.

Stage 2: If the AP is dissatisfied with the disposition of Stage 1, he/she may file an appeal with Cangyuan Land and Resources Bureau or the LA and HD management office (depending upon the issue) after receiving such disposition, which shall make a disposition within 2 weeks.

Stage 3: If the AP is still dissatisfied with the disposition of Stage 2, he/she may file an appeal with Cangyuan PMO receiving such disposition, which shall make a disposition within 2 weeks.

Stage 4: If the AP is still dissatisfied with the disposition of Stage 3, he/she may apply for administrative reconsideration with Cangyuan Government after receiving such disposition within 3 months.

74. Alternatively, he/she may file an action in a civil court in accordance with the Civil Procedure Law of the PRC at any time irrespective of the use and progress of the GRM process. At each stage, when the responsible agencies receive the appeal, it will be also copied to the PMO for discussion, so that the grievance can be redressed at lower levels.

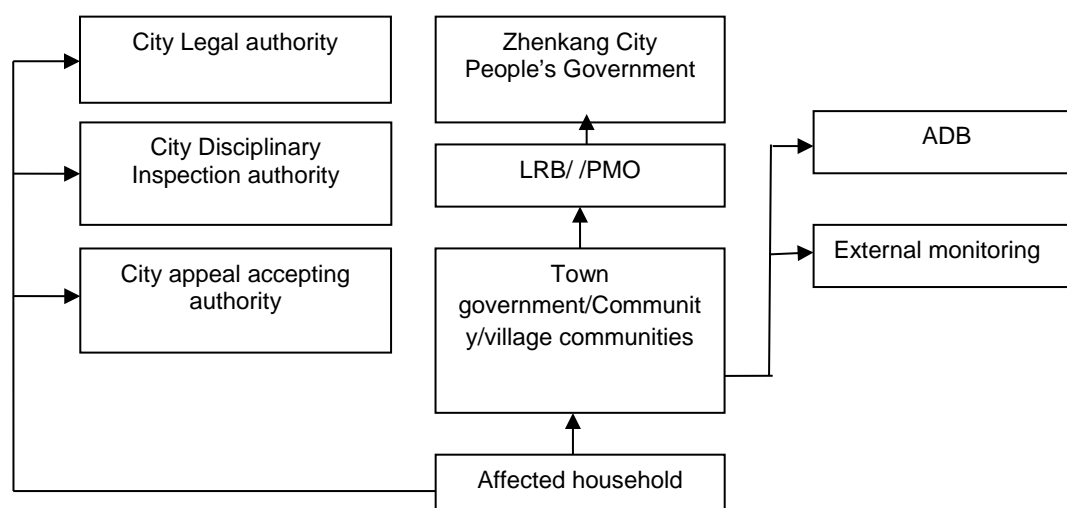
75. Affected household can also submit complaints to ADB which will first be handled by the project team. If the affected households are still not satisfied, they may submit their complaint to ADB's Accountability Mechanism.<sup>1</sup> However, the first step requires good faith efforts to resolve the problem with the relevant organizations and ADB Project Team.

76. All grievances (and their resolution) at each stage will be recorded and kept. The PMO will report the grievances (and their resolution) to ADB in semiannual monitoring reports. The APs may file an appeal on any aspect of resettlement, including compensation rates, etc. The above means of appeal, and the names, locations, persons responsible and telephone numbers of the appeal accepting agencies will be communicated to the APs at a meeting, through an announcement or the RIB, so that the APs know their right of appeal. Mass media will be used to strengthen publicity and reportage, and comments and suggestions on resettlement from all parties concerned will be compiled into messages for disposition by the resettlement organization at all levels.

77. All agencies will accept grievances and appeals from the APs for free, and costs so reasonably incurred will be disbursed from the contingency costs. During the whole construction period of the Project, these appeal procedures will remain effective to ensure that the APs can use them to address relevant issues.

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<sup>1</sup> For further information, see: <http://www.adb.org/Accountability-Mechanism/default.asp>



**Figure 6-1: Grievance Redress Flowchart**

#### 6.4. Appeal Contact Information

78. In order that the APs can feed back their grievances timely, contacts have been appointed for different appeal accepting agencies and their contact information disclosed.

**Table 6-3: Contact List for the Project**

No	Unit	Name	Post	Telephone	Remark
1	Zhenkang Government	Yang Yonghua	Deputy Director, Deputy Manager of Research Lab	13759320716	
2	Zhenkang Health and Family Planning Bureau	Chen Yonglin	Deputy Director	13988365253	
3	Zhenkang Finance Bureau	Xie Tianyun	Deputy Director	13988357697	
4	Zhenkang LRB	Xie Xueyan	Technical staff	15198969624	
5	Zhenkang Housing and Building Bureau	Zhang Hanjun	Deputy Director	15987260724	
6	Zhenkang Social and Resources Bureau	Liu Zhongqiang	President of the arbitration institute of labor and personnel disputes.	13578315192	
7	Zhenkang Agriculture Bureau	Luo Shihui	Deputy Director	13988389095	
8	Zhenkang Forestry Bureau	Li Yuebin	Deputy Director	13578437028	
9	Zhenkang Poverty Relieve Office	Zhang Wencheng	Deputy Director	13988366186	
10	Zhenkang Economic Informatization and Council	Lu Tianlin	Director	13908831028	
11	Zhenkang Bureau of Religious Affairs	Cao Zhihong	Director	13988354934	
12	Zhenkang Women's Federation	Guo Ping	Deputy Chairman	15087802066	
13	Zhenkang Zone Office	Li Yaohai	Director	13578330240	

No	Unit	Name	Post	Telephone	Remark
14	Zhenkang People's Hospital	Bai Guangneng	Director	13759374566	
15	Zhenkang Access Office	Li Zhexian	Staff	13908832004	
16	Zhenkang Disciplinary Department	Cao Manhai	Responsible person	18788396016	
17	Zhenkang Legal Branch	Wang Shuchao	Director of County Court Office.	13988336636	
18	Nansan Government	Zhang Yun	Commissary in charge of organization	18608832729	
19	Nansan Agriculture Service station	Luo Dongmei	Deputy Director	15987260693	
20	Nansan Town LRB	Duan Rongjun	Deputy Director	13988364388	
21	Baiyan Village	Wang Yongxin	Secretary of Nansan Town	13988385081	

## 7. Resettlement Budget

### 7.1. Resettlement Budget

79. All costs incurred during LAR will be included in the general budget of the project, all resettlement costs will be from domestic funds, which is 3.76 million yuan in total, as detailed in Table 7-1.

**Table 7-1: Resettlement Cost Estimate**

No	Item	Unit	compensation standard (unit/yuan)	quality	Total (ten thousand yuan)
<b>Part 1</b>	<b>land acquisition</b>				
1.1	Compensation for LA	Mu	37,908	38.24	144.96
1.2	Young crop fee	Mu	3,595	38.24	13.75
1.3	Ground attachment				0.58
	Bamboo		15	30	0.05
	Chinese banana		5	105	0.05
	Macadamia		60	80	0.48
Subtotal					159.28
<b>Part 2</b>	<b>Other costs</b>				
2.1	Costs on the preparation of RP	Yuan			18.00
2.2	Implementation and management costs	Yuan	3.00%	159.28	4.78
2.3	Training costs	Yuan			0.70
2.4	Monitoring and evaluation costs	yuan	5.00%	159.28	7.96
Subtotal					31.44

No	Item	Unit	compensation standard (unit/yuan)	quality	Total (ten thousand yuan)
<b>Part 3</b>	Related tax	yuan			
3.1	Reclaim of cultivated costs	mu	9000	38.24	34.42
3.2	Construction land use fee (including state-owned land)	m <sup>2</sup>	10	61333.33	61.33
3.3	reconnaissance survey costs	mu	333.34	38.24	1.27
3.4	Tax on the occupation of cultivated land	mu	13333.4	38.24	50.99
Subtotal					148.01
<b>Part 4</b>	<b>Contingencies</b>	<b>yuan</b>	10%		37.26
Total		yuan			376.00

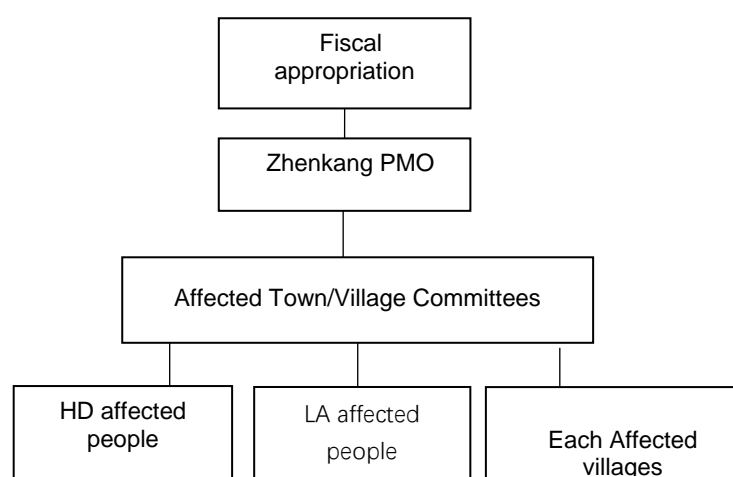
## 7.2. Annual Investment Plan

80. All resettlement funds of the project are from local counterpart funds. Before or during project construction, the civil works and resettlement plan will be implemented in stages in order not to affect the production and livelihoods of the AHs

## 7.3. Disbursement Flow and Plan of Resettlement Funds

### 7.3.1. Disbursement flow

81. During the implementation of the subproject, compensation fees will be paid at the standard in RP; Zhenkang fiscal budget will appropriate the compensation funds to Land Resource Bureau and Housing Levy Office, and then pay the funds to the affected units or individuals. Zhenkang PMO is responsible for coordinating and overseeing the payments.



**Figure 7-1: Flowchart of Resettlement Fund Disbursement**

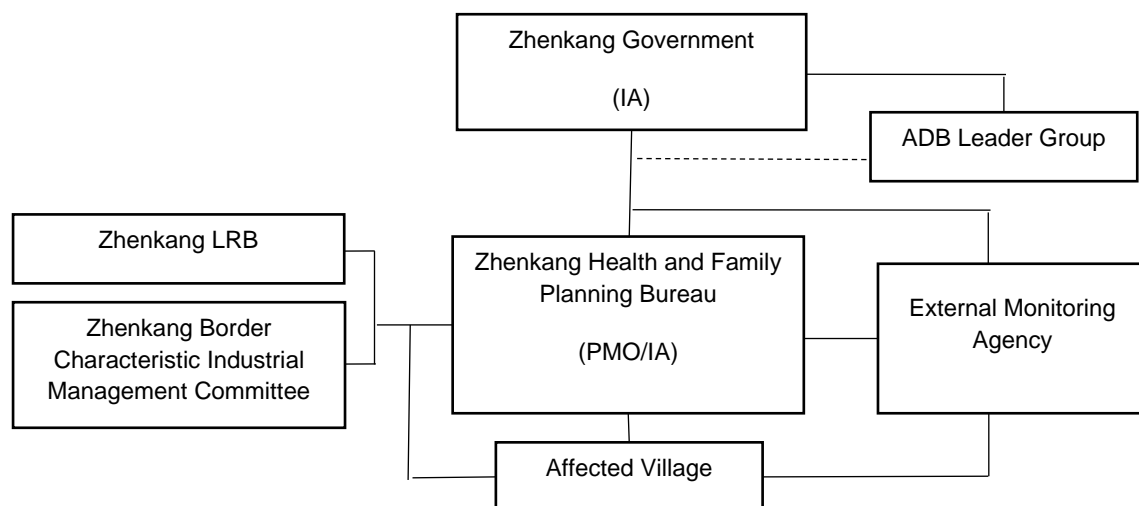
82. The budget is a cost estimate of resettlement. Depending on practical changes within the affected areas, and due to the practical impacts of detailed measurement survey (DMS), modifications to compensation and inflation, etc., resettlement costs may be increased, but Zhenkang County PMO will ensure the payment of compensation fees. The budget incorporates contingencies and will be applied and revised as necessary.

## 8. Organizational Structure and Responsibilities

### 8.1. Resettlement Action Agencies

83. The agencies responsible for the planning, management, implementation and monitoring of the project's resettlement activities are:

- Zhenkang PMO (EA)
- Zhenkang people's government (sub IA)
- Zhenkang city ADB Loaned project management Leading Group (Zhenkang PMLG)
- Zhenkang Project Management Office / Zhenkang Health and Family Planning Bureau (Zhenkang PMO/PIU, under Zhenkang PMLG)
- Zhenkang Land and Resources Bureau (Zhenkang LRB, land acquisition implementation agency)
- Nansan Town Government(participation)
- Affected villages(participation)
- Design Institute (DI) (project design institute entrusted by Lincang PMO)



**Figure 8-1: Resettlement Organizational Chart**

## 8.2. Zhenkang City ADB Loaned Project Management Leading Group

84. The resettlement staffs of Zhenkang city are from functional departments of Zhenkang Municipal Government. They have rich working experience and have participated in LA and resettlement in a number of local municipal projects and will play a good organizing and coordinating role in the implementation of the project. The Project Leading Group is composed of the following persons:

Leader:	Dong Wanchun	Deputy Secretary, the head of the County
Executive deputy leader:	Zhai Guojun	Standing Committee, First Deputy County Chief
Deputy leader:	Li Wenjuan	Deputy County Director
	Li Yingzhong	Deputy County Director
Members:	Xi Zhenglin	Director of the county government office
	Shi Jianmei	Director of the Health and Family Planning Bureau
	Cha Haijun	Deputy Director of Development and Reform Bureau
	Li Wenjuan	Director of Finance Bureau
	Yi Qiang	Director of LRB
	Luo Guoqiang	Director of Housing and Development Bureau
	Li Jing	Director of Human Recourse and Social Bureau
	Duan Shaoyan	Director of Industry and Information Bureau
	Huang Zhihua	Director of Commerce Bureau
	Zhao Kangping	Director of Education Bureau
	Guo Yougang	Director of transportation Bureau
	Li Wenquan	Director of Agriculture Bureau
	Chen Bingwen	Director of Forestry Bureau
	Yi Hualong	Director of Water Bureau
	Chen Yongqin	Director of Audit Bureau Mu Zhengxian
	Mu Zhengxian	Director of Poverty Alleviation Office

Li Huaan	Director of Resettlement Bureau
Zhou Shiping	Director of Religious Affairs Bureau
Li Guoliang	Director of Foreign Affairs Office
Li Shujun	Chairman of Overseas Chinese Federation
Yang Wenyan	Deputy Chairman of the County Women's Federation
Li Tianfu	Party Secretary
Zhao Wei	Director of Zone office
Xie Tianyun	Deputy Director of Finance Bureau
He Youping	Deputy Director of LRB
Li Jianjiang	Deputy Director of Housing and Development Bureau
Chen Yonglin	Deputy Director of the Health and Family Planning Bureau
Zhang Xinyou	The Head of the County People's Hospital

85. The Leading Group office consists of project fund supervision and management office in the county bureau of finance. Li Wenyan is appointed as office director, Xie Tianyun and Cha Haijun are appointed as deputy office director and the staffs will be transferred from Finance Bureau, Development and Reform Commission. And set up project management office in Health and Family Planning Bureau. Shi Jianmei is appointed as office director, Chen Yonglin, He Youping and Li Jianjiang is appointed as deputy office director and the staffs will be transferred from Health and Family Planning Bureau, Development and Reform Commission, Finance Bureau, LRB, Housing and Development Bureau, Zone Office and County Hospital.

86. The primary duties of the leading group are responsible for deploying, directing, coordinating the county ADB loaned project related work.

87. Responsibility of funds management office: to formulate the fund management system according to relevant regulations; to review and report the loan project funds, and check the disbursement of loan funds according to the project progress and withdrawal request ; to management the loan project funds and coordinate the internal and external communication; to organize annual audit of loan project funds; to finish all tasks assigned by the leading group.

88. Project Management Office main responsibility is to strengthen cooperation with relevant

regional counterparts' convergence of the various stages of project coordination and management, to ensure the smooth implementation of the project. Development and Reform Commission is responsible for pre-project review of reporting, project coordination and guidance work, finance department and auditing bureau responsible for supervision of the use of project funds, debt service work, houses construction department is responsible for project implementation, technical guidance and quality supervision.

### **8.3. Division of Responsibilities among Agencies**

#### **8.3.1. Zhenkang people's government**

- Responsible for the coordinating, funds arrangements of LA and HD, and internal resettlement supervision.

#### **8.3.2. Zhenkang Project Leading Group**

- Responsible for project leadership, organizing, coordination and policy-making, examining the RP, implementing internal supervision and inspection, and making decisions on major issues arising from resettlement.

#### **8.3.3. Zhenkang PMO/Health and Family Planning Bureau**

- Entrust design institutes to measure the project impact scope;
- Coordinate with the Land and Resource Bureaus specific to planning, updating, and implementation and prepare progress reports on use of funds and resettlement implementation

#### **8.3.4. Zhenkang Land and Resource Bureau**

- Organizing the socioeconomic survey;
- Conducting the DMS and baseline survey;
- Organizing public participation activities;
- Negotiating resettlement programs and organizing the preparation of the RP;
- Applying for the license for planning of land use and the license for land used for construction;
- Implementing measures for LA;
- Implementing the state policies and regulations on construction land management;
- Developing resettlement and compensation programs according to the policies, and submitting them to competent authorities for approval;
- Handling the land use approval formalities;
- Implementing the RP;
- Entering into compensation and resettlement agreements with the affected economic organizations together with L&R bureau;
- Entering into compensation agreements for temporary land occupation;



- Entering into compensation and resettlement agreements with the affected households and entities;
- Reviewing resettlement implementation;
- Managing information on LA, HD and resettlement;
- Training staff;
- Coordinating and handling conflicts and issues arising from implementation;
- Coordinating and handling disputes and appeals;
- Reporting LA, HD and resettlement information to the Zhenkang PMO.

#### **8.3.5. Nansan Town**

89. Led by the leaders in charge, and composed of party office, land management and other units and various community key officials. Its main responsibilities are:

- Participating in the survey of the Subproject, and assisting in the preparation of the RP;
- Organizing public participation, and propagandizing the resettlement policies;
- Implementing, inspecting, monitoring and recording all resettlement activities within its jurisdiction;
- Responsible for the disbursement and management of land compensation fees;
- Supervising the LA and contract signing
- Reporting LA and resettlement information to the county land and resources bureau;
- Coordinating and handling conflicts and issues arising from its work.

#### **8.3.6. Affected Village Committees/Communities**

90. Composed of key officials of committee. Its responsibilities are:

- Participating in the socioeconomic survey and DMS;
- Organizing public consultation, and propagandizing the policies on LAR;
- Paying and managing relevant funds;
- Reporting the APs' comments and suggestions to the competent authorities;
- Reporting the progress of resettlement implementation;
- Providing assistance to displaced households with difficulties; and
- Cooperate with other higher-level units with land acquisition related work

#### **8.3.7. Design Institute**

- Reducing the impacts of the Subproject through design optimization; and
- Identifying the range of LA.

## 9. Implementation Schedule & Monitoring

91. According to the project implementation schedule, the project will be planned and implemented for 3 year from April 2019 to April 2022; the LAR will begin in late 2018 and end in early 2019. The basic principles for resettlement implementation are as follows:

- LA shall be completed at least one month prior to the commencement of civil construction.
- During the LAR, the APs shall have opportunities to participate in the project. Before the commencement of civil construction, the scope of LAR will be disclosed, the RIB distributed, and public participation activities conducted properly.
- All compensation shall be paid to the affected proprietors directly and fully within 3 months of approval of the compensation and resettlement program for LAR. No entity or individual should use such compensation funds on their behalf, nor should such compensation be discounted for any reason.

92. During project implementation, the following activities will be carried out as part of RP updating and implementation.

- (i) Verification of LAR impacts. The scope of the LAR will be defined according to the project detailed design and layout. And the resettlement work will be assigned to affected village via meetings, and then inform to the village committee. The Zhenkang PMO will survey and register land, houses and attachments, and their ownership within the defined project scope.
- (ii) Field investigation of the range of house demolition. The Zhenkang PMO will organize relevant staff of Zhenkang LRB, village to visit the affected areas, investigate and register land, houses, attachments, facilities and equipment, etc., judge the nature and ownership of infrastructure, and keep detailed records.
- (iii) Updating the RP and preparing the budget. Before the beginning of land acquisition, and civil works, the RP will be updated based on the detailed design and detailed measurement survey (DMS) and submitted to ADB for review and concurrence. Based on the survey findings, Zhenkang PMO will work out the RP and budget in accordance with applicable policies and regulations, and then submit them to the Zhenkang Health and Family Planning Bureau for check.
- (iv) Contract signing. Under the coordination and direction of Zhenkang PMO, Zhenkang Health and Family Planning Bureau will enter into land acquisition agreement and pay the contract price.
- (v) Compensation Payment. The compensation agreement for land acquisition will be signed based on the compensation rates specified in the RP, and in accordance with the state, provincial and municipal laws and regulations on resettlement. Zhenkang PMO, LRB, and Township government will negotiate with the affected

village committees, residents, enterprises and stores about compensation and resettlement respectively. After consensus, Zhenkang LRB and PMO will sign the compensation agreement for land acquisition immediately. A copy of such agreement should be submitted. Zhenkang LRB will supervise and witness the whole process.

- (vi) Disbursement of compensation payments. The APs will receive compensation timely after signing agreements.
- (vii) Land use license. The EA should endeavor to obtain all land use licenses timely. LAR certificates must be obtained before the payment of compensation and the acquisition of land, houses and private properties.
- (viii) Livelihood Support. Guidance, Training and Implementation of Livelihood support
- (ix) Internal monitoring and reporting. The PMO to coordinate with relevant bureaus and organizations to know progress, and any issues that needs to be addressed to ensure that it will not affect construction activities. The following will be monitored and reported on a semi-annual basis and will be part of the Project's progress reporting. Reports will be submitted to ADB
  - Activities carried out during RP updating (DMS, consultation activities, finalization of replacement costs, relocation of household)
  - Disbursement and use of the LAR compensation
  - Provision of compensation and assistance to HD household
  - Budget utilization and availability

The report will include the statistical data of land acquisition and resettlement, and compensation disbursed in the past 6 months. Zhenkang PMO will prepare a resettlement completion report within one year after the LAR completion and be submitted to ADB through Zhenkang PMO

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

No	Resettlement Tasks	Target	Responsible Agency	Deadline
	<b>A: Consultation and Disclosure</b>			
1	RIB distribution	Zhenkang Government	PMO and Resettlement expert	2018.6
2	RP distribution	All affected villages and communities	LRB	2018.6
3	RP uploaded online	Seriously affected villages and communities	LRB and Resettlement expert	2018.12

No	Resettlement Tasks	Target	Responsible Agency	Deadline
4	Approval of related documents	All affected villages and communities	LRB	2018.6
	<b>B: Resettlement Plan &amp; Budget</b>			
5	Approval of final RP & budget		Zhenkang Government	2018.6
6	Submission of Updated RP to ADB for review and concurrence. Uploading of Updated RP on ADB website		Zhenkang County and ADB	2019.1
	<b>C: Capacity Building</b>			
7	Establishment of a resettlement offices at various levels		PMO	2018.5
8	ROs capacity building	8 staff	Zhenkang PMO	2018.5
9	Designate village/community authorities	All affected villages and communities	PMO, LRB	2018.5
	<b>D: Commencement and Completion of Resettlement</b>			
10	Sign the agreement with affected person and village	All affected villages and communities	LRB	2019.1
11	Commencement		LRB	2019.1-3
12	Completion		LRB	2019.3
	<b>E: Monitoring and Evaluation</b>			
13	Internal monitoring reports		PMO	June and December. each year since 2018--2019
14	Establishment of the internal monitoring system	Semi-annual reports	Zhenkang PMO	2018.5

## **Appendix 1: Due Diligence Report on the Hospital project on Zhenkang County**

### **1. Overview of the Project**

The PRC Government has requested the ADB to provide a loan project to fund part of the long-term investment needs for implementing Yunnan's strategies on enhancing RCI and to support the development plan of the Lincang Border Economic Cooperation Zone (LBECZ) and of the border counties of Zhenkang, Cangyuan Wa, and Gengma Dai and Wa.

The indicative outcome of the project is: competitiveness of urban centers, logistics and industrial parks, and land ports in project counties and the LBECZ enhanced. The project will be aligned with the following indicative impacts: (i) economic growth potential for the LBECZ and border areas of Myanmar enhanced; (ii) benefits of regional cooperation and integration in the LBECZ and border areas of Myanmar realized; and (iii) living conditions and public health of residents of the LBECZ and border areas of Myanmar improved. The project has the following components: (i) improve cross-border trade capacity, (ii) improve urban environment infrastructure; improve social infrastructure and services, and (iv) improve institutional capacity of agencies involved.

### **2. Due Diligence Report Preparation**

The report is prepared by a preparation team composed of the Zhenkang PMO, and a RP preparation agency. From 19 to 21 January 2018, the team visited the Zhenkang PMO, Land and Resource Bureau, Nansan Town and other relevant departments to collect the land acquisition, compensation and resettlement agreement and other relevant materials, and interviewed the principal of Nansan Town and related people. The main contents of this report include: to understand the actual situation of the LA and HD, the process of the LA and HD and compensation payment, to know public participation and complaint cases, to assess the compensation payment for the LA and HD, and ultimately to draw relevant conclusions.

### **3. Project Impact**

For Zhenkang County, the plan is to build the China-Myanmar Friendship Hospital which falls under the social infrastructure and services component of the Project. The China-Myanmar Friendship Hospital (referred to as the "subproject") will require a total of 38.24 mu of land. After field survey and confirm with PMO, there is no house demolition will be involved.

The subproject will acquire total of 123.50mu of land, including:

(i) the construction of China-Myanmar Friendship Hospital will acquire a total land of 38.24mu, affect 1 town (Nansan town), 1 village (Baiyan village), and 4130 people from 96 households will be affected, all is Deang.

(ii) the state-owned construction land for 85.26mu, including 1 access road with 700 meters and the width of the road is 30meters. According double check with PMO, all the 85.26 mu of land was acquired before,.

**Table 1: The Completed LA Status of Zhenkang Hospital Project**

Item	Village	La area
<b>China-Myanmar Friendship Hospital</b>	Baiyan village collective	53.76
<b>Access Road</b>	Baiyan village collective	31.50
<b>Total</b>		85.26

Data Source: Zhenkang City L&R Bureau

Note: The LA work had been completed in the table.

Based on the requirement of Zhenkang City overall general planning and land utilization, part of land of Nansan Town had been acquired by the government of Zhenkang County during 2014-2015, land acquisition involves 1 village committee, the total land acquisition area for 301.8 mu. However, Zhenkang ADB loan hospital project and the access road only accounts for 85.26 mu. In the 85.26 mu required, 8 households 41 people were affected.

Before the land acquisition, three party's negotiations were organized by Zhenkang L&R bureau, Nansan Town government and the 8 affected households, in addition, carried out the public participation and negotiations for many times, holding villagers discussion meetings, finally, reaching an agreement, and the three parties had signed the land compensation agreement.

#### 4. Interview with the affected people

Of the 8 HHs affected, 5 HHs (26 people) were interviewed using structured questionnaire.

According to the social survey and investigation, it is indicated that the income structure was totally changed after LA, due to the LA the planting income got decreased visibly, however, there are still some farmer households continue to opt the planting, besides, some of the farmer households opt the livestock breeding (just the family culture, not the large scale) to increase the family income. Meanwhile, due to the land was acquired, many of the labor forces produced, and they chose the outside working including the seasonal or short-term, in such the outside working income got increased. Generally speaking, the total family income is increased since they found other income sources.

**Table 3: Comparison Analysis for Affected HHs on Income Resources**

Unit: CNY/Year/HH

Items	After LA			Before LA			Difference
	Total income	Per capita income	Proportion	Total income	Per capita income	Proportion	Comparison
<b>Planting</b>	83348	16028.46	59.71%	87120	17424	74.42%	-4.53%

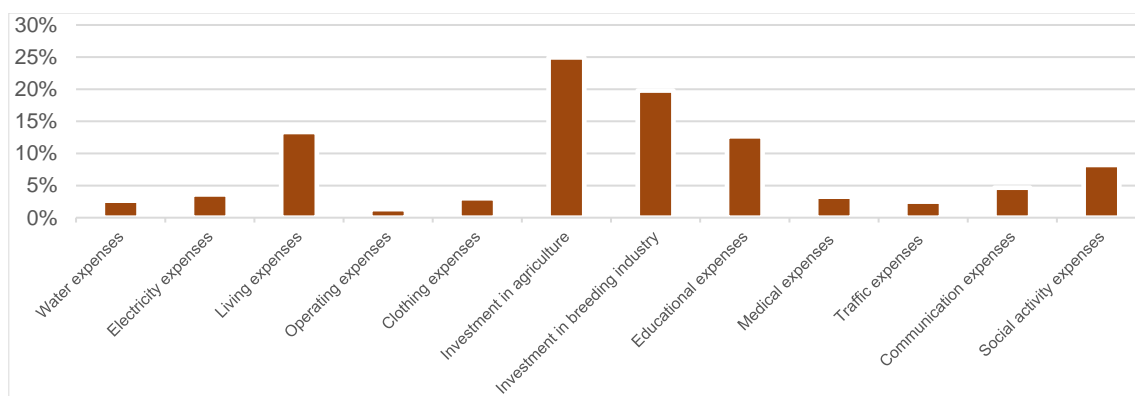
<b>Livestock breeding</b>	8400	2376.92	6.02%	7660	1360	6.54%	8.81%
<b>Small Business</b>	4200	980	3.01%	2400	940	2.05%	42.86%
<b>Outside working</b>	42500	3600	30.44%	18900	1500	16.14%	55.53%
<b>Other income</b> (some gov. subsidy and sell some homemade productions)	1150	370	0.82%	990	182.8	0.85%	13.91%
<b>Total</b>	139598	23355.38	100.00%	117070	21406.8	100.00%	16.14%

According to the survey, most of the villagers in project area are engaged in agriculture. Table 3 showed the composition of the income of the AHs. The survey shows that the expenses on agriculture accounted for a large proportion, the following are expenses on breeding and living, they are 19.79% and 13.33% respectively. As shown in table 4.

**Table 4: Average Household Expenditure Pattern of Affected Households in 2017**

<b>Items</b>	<b>Total</b>	<b>Per capita expenditure</b>	<b>Proportion</b>
Water expenses	4800	184.62	2.64%
Electricity expenses	6580	253.08	3.62%
living expenses	24240	932.31	13.33%
Investment in agriculture	2400	92.31	1.32%
Clothing expenses	5520	212.31	3.04%
Agriculture expenses	45350	1744.23	24.95%
Breeding expenses	35968	1383.38	19.79%
Educational expenses	23040	886.15	12.67%
Medical expenses	5940	228.46	3.27%
Traffic expenses	4540	174.62	2.50%
Communication expenses	8500	326.92	4.68%
Social activity expenses	14900	573.08	8.20%
<b>Total</b>	<b>181778</b>	<b>6991.46</b>	<b>100.00%</b>

Note: DDR survey in January 2018 N= 5 households with 26 people



**Figure 3: Per household expenditure of affected people**

To better determine the income level of the affected male labor force and female labor force, 30 households were randomly selected from the survey sample to conduct the survey, as shown in table 5. Through the survey we found that the annual income of male labor force is CNY 49923 and the female labor force is CNY 37167. The reason why male's income is higher than female is that the number of male working in planting and outside work as well as doing business is larger than female, so the income of female is less than the male.

**Table 5: Income proportion of male and female labor force**

Items	HHs	Minimum	Maximum	Average	Standard deviation
Male	6	20800	76069	48166.33	20806.12
Female	7	15600	65202	31934.57	16039.24

Note: DDR survey in January 2018

The annual income of male is higher than female. It is mainly because male force working on business or high-payment work or outside work to obtain a higher annual income; and female, however, spend a lot of time doing household chores, care for the elderly and children, and lower the average annual income level than man. Overall, women's labor income is on the rise, it indicates that women account for a significant proportion of household income.

## 5. Compensation and Payment

In 2014, Zhenkang Land and Resource Bureau together with Nansan Town government and affected village collective conducted public participation and negotiations for several times and finally reached an agreement and signed an Agreement during 2014 to 2015. The LA work had been completed in 2016; due to the LA work of Zhenkang conducted in different time and land area and the LA area is quite large, many of village collective and individual were involved as well as the large compensation, the details see table 6 and appendix.



**Table 6: LA Status on Zhenkang Hospital component**

Affected Villages	Acquisition Area (mu)	Compensation amount (million)
Baiyan village Xiaochanggou village group	301.82	8833.38

## 6. Public Participation

In the land acquisition process, Zhenkang Land and Resource Bureau, government of Nansan Town and related agencies organized full consultation with affected village secretary, villager representatives on project-related impacts to fully understand the considerations of affected people's views and suggestions, and take a variety of ways for public participation and negotiation:

### (1) Public participation and consultation meetings

Before the land acquisition, holding forums, focusing on the basic situation of urban development planning ideas and proposed construction projects, as well as the scope of planned land acquisition, listen to the views and suggestions of affected villager's representatives, and concerned departments, as well as made records and given consideration and concern in the implementation.

### (2) Public meeting for LA compensation and resettle

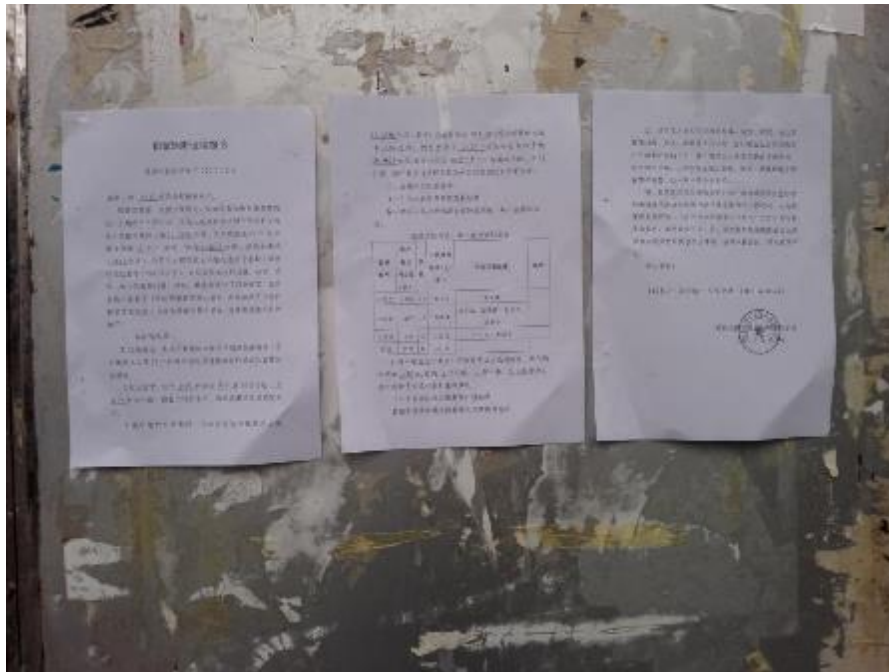
Prior to the implementation of land acquisition program, to explain to the relevant policies and regulations, compensation standards, payment time, replacement land location to the affected farmers, combined with opinions and suggestion of the government of Nansan Town and affected towns and villages; to implement the project the in strict accordance with national and Yunnan Province policies; to call on concerned department to discuss the LA of affected and resettlement.

### (3) LA and compensation

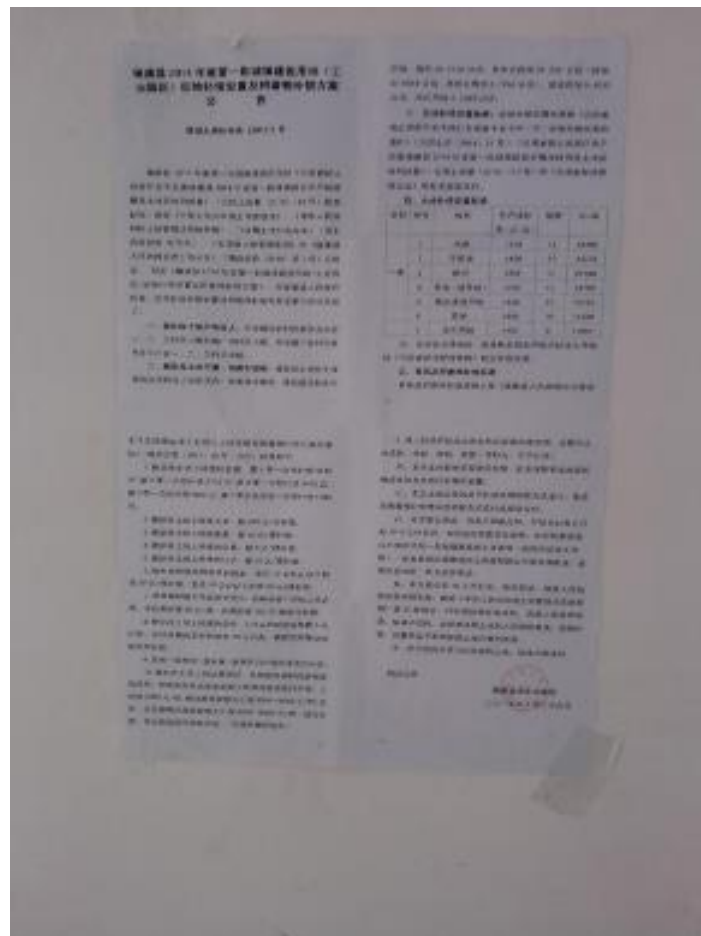
During detailed investigations and measurements on LA, compensation standard setting, land acquisition agreements negotiation, and compensation payment, the principal Fukang Land and Resource Bureau have participated in the work process, to ensure that land acquisition just, fair, reasonable and transparent.

### (4) Release announcement about Land acquisition

The main content of the announcement includes: project overview, scope of land acquisition, compensation standards, resettlement policies, schedules and so on.



Picture 1: Posting the notice of the hearing meeting in Nansan Town, Zhenkang County



## Picture 2: Posting the LA Notice and Compensation Standard in Nansan Town, Zhenkang County

Public participation I
<p><b>Time:</b> April 2, 2014</p> <p><b>Location:</b> Nasan Town Baiyan Village Committee of Zhenkang County</p> <p><b>Participants:</b></p> <p>The director of Land and Resources Bureau, the director of the Government in Nansan Town and the village head, secretary and the villager delegates of Baiyan Village.</p> <p><b>Conference topics:</b></p> <p>Consult Meeting about collecting opinions on land acquisition in Zhenkang Town from the project of hospital</p> <p><b>Content:</b></p> <ol style="list-style-type: none"> <li>1. Introduces the basic ideas of Hospital Project construction and purposes</li> <li>2. Introduces the location of proposed hospital and schedule the scope of Land acquisition and implementing time;</li> <li>3. Seek villagers' opinions and views from Nansan Town Baiyan Village in Zhenkang County</li> </ol> <p><b>Staffs express their views:</b></p> <p>Villager representatives said that the construction of the project could not only promote the development of Baiyan Village, but also push the medical development of Zhenkang County. In particular, Zhenkang County as a border county, the construction of the China-Myanmar friendship hospital is also good for promoting the friendship between two counties and in the meantime, it would be a great convenience for villager to see a doctor.</p> <p>And farmers' demands need to have a full consideration, and our own development should not be affect, and how to deal with our livelihood because of the land acquisition, whether need to give us some technical training, for example, excavator, forklift, electro welding, electrician, clean-keeping and cooking. And whether you could provide us commercial stores, if we start to own business, we really hope that the government can put some useful solutions on our farmers' development from our view; besides, the compensation should be strictly acted according to the relevant policies in our country, and the documents should be open and transparent. The meeting towards us should be held frequently to negotiate together during the process of land acquisition;</p> <p>To sum up, the construction of the project is benefit, and farmers will actively support it under the condition that it doesn't affect villagers' development. The government needs to do well in the previous preparation and think more about the villagers' rights and interests.</p>

## 7. Appeal Procedures

During the LA and HD, an appeal procedure was established. If displaced persons have any complaint and question about project land acquisition or other problems, they could take a variety of ways to appeal. The appeal system is shown in figure 1. Basic appeal stages are as follows:

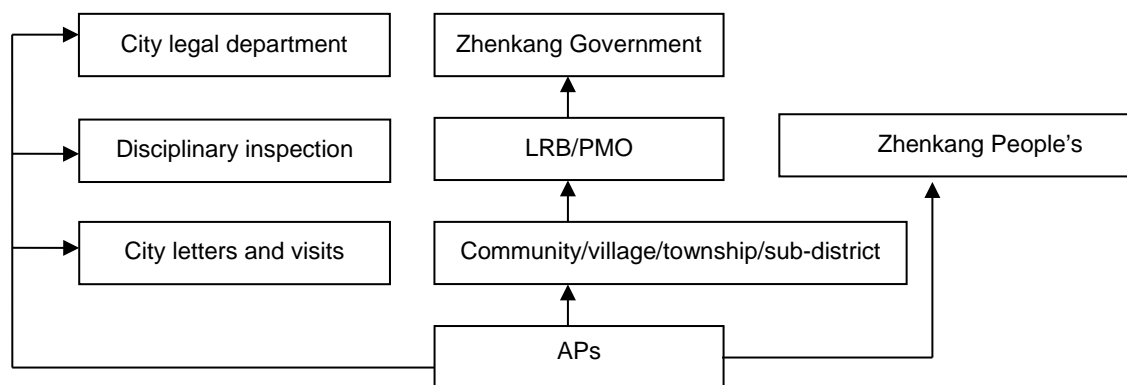
Stage 1: If any AP is dissatisfied with any land acquisition and resettlement, he/she may file an oral or written appeal with village committee/community, township government/sub-district office. Such appeal should be solved within 2 weeks.

Stage 2: If the AP is dissatisfied with the disposition of Stage 1, he/she may file an appeal with Zhenkang LRB, after receiving such disposition, which shall make a disposition within 2 weeks.

Stage 3: If the AP is still dissatisfied with the disposition of Stage 2, he/she may file an appeal with Zhenkang PMO after receiving such disposition, which shall make a disposition within 2 weeks.

Stage 4: If the AP is still dissatisfied with the disposition of Stage 3, he/she may apply for administrative reconsideration with Administrative Office in Zhenkang, or he/she may apply for administration proceedings with people's court of Zhenkang County within 3 months based on the Civil Procedure Law.

Displaced persons may file an appeal on any aspect of resettlement, including compensation rates, payment time, etc. The above means of appeal have been communicated to the displaced persons by virtue meetings and other channels, so that the displaced persons know their right of appeal.



**Figure 1: Grievance Redress Flowchart**

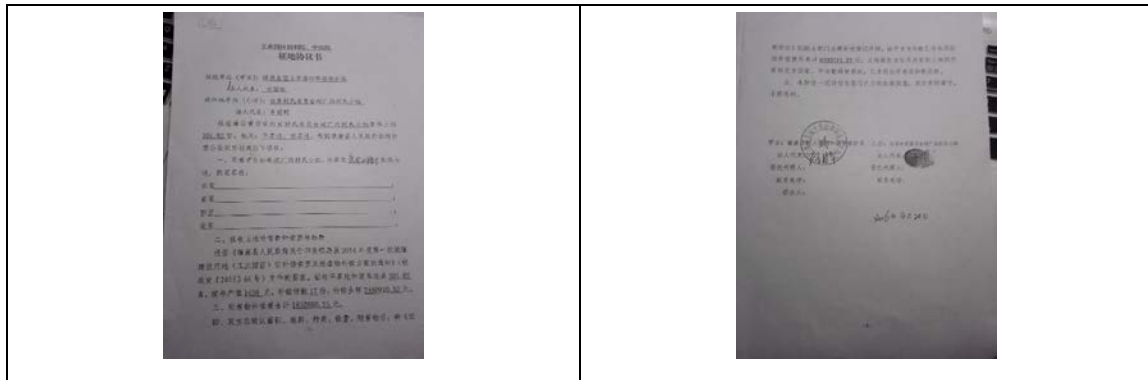
From the investigation, it is found that both the LA affected people have a full understanding about its own rights and the grievance complaint channels. There is no complaint until now and the farmers are satisfied with the compensation.

## **8. Conclusion and Suggestion**

Prior to and during the land acquisition, Zhenkang government, L&R Bureau, Nansan Town government as well as the relevant units organized several different forms of public participation, and the affected farmers and HD households' opinions are fully respected in the project implementation process. The compensation payments have been paid in full. No impact on the regular operation of ARI. Overall, all the compensation and resettlement measures are based on public participation to implement fully and without any remaining problems.

During the implementation period, the grievance complaint channels are in validity and there is no complaint up to now. ARI is very supportive of the project construction, and they are satisfied with the compensation standard, no remaining problems.

The investigation found that the land acquisition compensation and the fund for infrastructure construction have been paid in full, no remaining problems.



### Picture 3: Compensation Agreement

镇康县民政局社会福利院、中医院 征收土地补偿费到户付款表	村委会 (小组)	户名	地类	面积	补偿标准	合计	其中	备注	小计	合计	备注	备注
征收单位: 镇康县民政局、土地征收委员会	征收单位: 镇康县民政局、土地征收委员会	征收单位: 镇康县民政局、土地征收委员会	征收单位: 镇康县民政局、土地征收委员会	征收单位: 镇康县民政局、土地征收委员会	征收单位: 镇康县民政局、土地征收委员会	征收单位: 镇康县民政局、土地征收委员会	征收单位: 镇康县民政局、土地征收委员会	征收单位: 镇康县民政局、土地征收委员会	征收单位: 镇康县民政局、土地征收委员会	征收单位: 镇康县民政局、土地征收委员会	征收单位: 镇康县民政局、土地征收委员会	征收单位: 镇康县民政局、土地征收委员会
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#### Picture 4: Compensation Payment Vouchers