



External Monitoring Report

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PRC: Yunnan Chuxiong Urban Environment Improvement Project – Resettlement External Monitoring Report (No. 4) for Longchuan River Component

Prepared by Sichuan Fontal Strategic Consulting Co., Ltd

For Chuxiong Prefecture Project Management Office

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Asian Development Bank

**Upper Longchuan River Regulation Work of the ADB-loaned Chuxiong Yi
Autonomous Prefecture Urban Environmental Improvement Project**

**Resettlement External Monitoring
Report
(Phase IV)**

March 2017

Sichuan Fontal Strategic Consulting Co., Ltd.

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1 General

1.1 Basic Information of the Project

Chuxiong Urban Infrastructure and Environmental Improvement Project (the Upper Longchuan River Regulation Works) (the “Project”) is one of the sub-projects of the Urban Environmental Improvement Project of Chuxiong Yi Autonomous Prefecture with the loan from the Asian Development Bank (ADB). The contents of the Upper Longchuan River Regulation Works include: The flood control works and landscaping of the 9.377km (length) Longchuan River starting from the Qingshanzui Reservoir and ending at the highway bridge in Shangzhang Village. The river will be divided into 3 segments for regulation, in which, Segment 1 and Segment 2 (0+000-6+300) will be regulated as to stand flood returning in every 10 years, by ecological measures including mainly tree planting and embankment restoration; while segment 3 (6+300-9+377) to stand flood returning in every 50 years, by building composite embankments. Moreover, trees and emergent aquatic plants will be planted along the two banks of the river segment 2 and segment 3. Urban landscaping (area: 202505m²) and leisure and recreation area will be built, while water-soil conservation measures, flood warning system, and environmental promotion measures will be taken. Total investment on the Project is expected to reach RMB 224,671,100.

1.2 Construction Progress of the Project

Up to date, the project proposal, feasibility study, environmental impact assessment, resettlement plan, water conservation, land pre-approval, site selection opinions, geological investigation and drawing review, construction land planning permit and construction project planning license has been completed; the preliminary design of construction drawings has been approved by the Department of Housing and Construction and Development & Reform Commission of Yunnan Province, the construction drawing design has been reviewed and accepted, and the construction bidding of the river course has been completed. On February 22, 2017, contract negotiations were carried out, and a preliminary agreement has been concluded with the contractor. When the formal contract is entered, it will be rendered to the ADB for review. The mobilization is expected to occur in mid March 2017. At present, construction fencing has been completed, and the surface clearing work is in progress.

1.3 Land Acquisition, Demolition and Resettlement

This sub-project involves the land acquisition in Dongping Community, Donggua Community, Yongxing Community, Liujia Community and Xinglong Community of Donggua Town, which is mainly aimed to permanently acquisition the collectively-owned land or to temporarily occupy the collectively-owned land. No housing demolition and relocation will be involved in the Project. As of March 2017, the actually completed permanent acquisition and temporary land acquisition totaled 377.87mu, 100% of the planned quantity has been completed (with reference to the updated resettlement action plan dated June 2016). Actually, 661 households or 2763 people are affected.

A land acquisition and demolition team has been set up, and the acquisition and demolition work and fund raising is proceeding smoothly. The land compensation funds for land compensation, young crops and ground attachments compensation are being allocated and paid in a normal procedure.

1.4 Monitoring and Monitoring Objectives

In order to effectively eliminate or alleviate the impacts of the project construction on the land requisition, housing demolition and resettlement and on enterprises and public institutions, and ensure the smooth implementation of the project, *the Resettlement Action Plan (RAP)* has been prepared for all the subprojects of ADB-loaned Chuxiong Yi Autonomous Prefecture Urban Environmental Improvement Project according to the relevant requirements of the ADB. In order to ensure the smooth implementation of the above plan and achieve the proper resettlement, in addition to the local project implementation entity which is directly responsible for executing the compensation measures, the external independent resettlement organization will carry out the external resettlement monitoring, so that:

- 1) Supervise and evaluate the implementation of the resettlement action plan by the Owner;
- 2) Confirm whether the livelihood and living standards of the affected persons have been improved or restored to the original level upon the completion of the Project according to field monitoring;
- 3) If not, find out the reasons and propose corrective actions to ensure that the objectives are met;
- 4) Provide external monitoring report on resettlement of construction projects;
- 5) According to the implementation of the project, provide the resettlement training for the Owner on an irregular basis; and
- 6) Other work related to external monitoring, management and training relevant to resettlement.

1.5 Monitoring and Evaluation

Sichuan Fontal Strategic Consulting Co., Ltd, entrusted by the ADB Project Office of Chuxiong Prefecture with the external independent monitoring and evaluation service on the Project, has prepared the independent monitoring and evaluation work plan which defines the scope, contents, monitoring indicators, working methods and time schedule of the external monitoring and evaluation service this time.

The monitoring team visited Guadong Town of Chuxiong to collect the monitoring and appraisal information and data of the Project on March 1, 2017. The monitoring team has fully mastered the progress of the resettlement in the subproject, held a workshop with the competent leaders of the Owner and Guadong Town, investigated the progress of the resettlement and conducted the questionnaire survey.

The focus of this Project is to carry out the random questionnaire for the people affected by the land acquisition, and 15 affected people were investigated. The survey aims to understand the changes in the production and living conditions before and after the land acquisition as well as the various compensation standards and fund availability, in order to determine if the affected people have satisfied the support objectives specified in the RAP. At the same time, through the understanding of the public participation in the early days of land acquisition, the team has promptly found that the problems existing in the implementation of the resettlement, notified such problems to the competent resettlement organization, and put forward the corresponding

improvement suggestions.



Figure 1-1 Discussion and Questionnaire Survey with External Monitoring Organization

2 Monitoring on Project Impact

2.1 Monitoring on General Physical Impacts of the Project¹

Impacts of the Project are mainly permanent land acquisition, without house demolition or temporary land acquisition being involved, according to the Resettlement Action Plan (updated version of 2016) for the Project. Totally 5 administrative villages of one town/township in Chuxiong (Cheping Community, Dongguan Community, Yongxing Community, Liujia Community and Xinglong Village of Donggua Town) are involved in the project, covering 377.87 mu of collectively-owned land.

2.2 Monitoring on Physical Indicators of Permanent Land Acquisition

The land acquisition of the Project actually affects 25 villagers groups under the jurisdiction of 5 communities of Donggua Town. As of this phase, totally 253.52mu of land of various natures has been acquired by the Project, including 234.26mu of farmland, accounting for 92.4% of the total land acquisition. The project will affect 567 households or 2281 people. And 100% of the planned land acquisition has been completed. See Table 2-1 for details about the collectively-owned land acquisition.

Table 2-1 List of Collectively-owned Land Already Acquired

Township(town)	Village/community	Area of permanent land acquisition (mu)	Area of temporary land acquisition (mu)	Subtotal
Donggua Town	Yongxing	65.64	0	65.64
	Dongping	116.55	0	116.55
	Donggua	71.33	0	71.33
	Xinglong	0	7.81	7.81
	Liujia	0	116.54	116.54
	Total		253.52	124.35

2.3 Monitoring on Physical Indicators of Temporary Land Occupation

The Project plans to occupy 124.35 mu of temporary land, including 112.47 mu of paddy fields and 11.88 mu of vegetable fields. The Project affects 94 families, or 482 people. As of this phase, the project has occupied 124.35 mu of temporary land, accounting for 100% of the planned occupation. See Table 2-1 for details.

1 Note: The Resettlement Action Plan (RAP) was updated in June 2016, and the data of this phase of monitoring are all compared with those listed in the updated RAP.

3 Monitoring on compensation standard and compensation fees

3.1 Monitoring of Compensation Policies

The land acquisition, relocation and resettlement compensation rates shall be strictly in accordance with national and local government laws, policies as well as the compensation criteria specified in the *Resettlement Action Plan* of the Subproject recognized by Asian Development Bank and the People's Government of Chuxiong.

In the current monitoring, the implementation standard for the land acquisition and compensation resettlement in the Project is consistent with that specified in the Resettlement Action Plan.

3.1.1 Applied Policies

The main policy basis for the practical and specific application of land acquisition, relocation and resettlement in the Project is:

- **Security policies of the Asian Development Bank**
 - *Statements on Security Policies* dated June 2009
 - *Gender and Contents of Resettlement Issues* dated February 2003
 - *Business Guideline F2 Non-voluntary Resettlement*
- **Laws, regulations and policies of China**
 - *Rules of Acquisition and Compensation for Houses on the State-owned Land* (order No. 590 of the State Council) (January 21, 2011)
 - *Land Management Law of the People's Republic of China* (implemented from January 1, 1999 and revised on August 28, 2004)
 - *Notice by the Ministry of Land and Resources As To Further Improve Management on Land Acquisition* (the Ministry of Land and Resources, June 26, 2010)
 - *Regulations on the Preliminary Reviewing of Land Used for Construction Items* (order No. 27 of the Ministry of Land and Resources) (November 1, 2004)
 - *Notice to Further Make Perfect the Management System of Rural Residence Land and Safeguard Rights and Interests of Farmers* (March 2, 2011)
 - Guidelines of the State Council on the Pilot Implementation of New Type Rural Social Endowment Insurance (GF [2009] No. 32)
- **Policies of Yunnan Province and local governments**
 - *Measures of Yunnan Province on Implementation for Farming Land Occupation Tax* (YZF [2008] No. 149) (October. 30, 2008)
 - *Opinions of the People's Government of Yunnan Province As To Strengthen*

Farmland Protection and Facilitate Scientific Urbanization (YZF[2011] No. 185)

- *Circular on Amendment to Land Acquisition Compensation Rates of Fifteen Prefectures (Cities) of Yunnan Province* (effective from June. 1, 2014)
- *Circular of the Yunnan Provincial People's Government on Printing and Distributing Trial Measures of Yunnan Province on Landless Farmers Basic Endowment Insurance* (YZF [2008] No. 226) (November 18, 2008)
- *Circular of the Yunnan Provincial People's Government on Printing and Distributing Implementation Measures of Yunnan Province on New Rural Social Endowment Insurance (Trial)* (YZF [2009] No. 193) (December 7, 2009)
- *Circular of the Yunnan Provincial People's Government on Implementation of Employment Promotion Law of the People's Republic of China* (YZF [2008] No. 233)
- *Circular of the Yunnan Provincial People's Government on Forwarding the Implementation Measures of Yunnan Province on Encouraging Entrepreneurship and Promoting Small Secured Loans* (YZBF [2010] No. 163) (November 4, 2010)
- *Notice of the People's Government of Chuxiong Prefecture As To Further Strengthen Minimum Living Guarantee to Exceptionally Poverty-stricken Rural Residents* (CZT[2007] No.49)
- *Notice by the Women's Federation and the Finance Bureau of Chuxiong Prefecture As To Set Up Special Fund To Support Business Establishments by and Employment of Women of Chuxiong Prefecture* (CFL[2010]No. 19)
- *Interim Procedures of Basic Endowment Insurance to Land-expropriated Farmers of Chuxiong Yi Autonomous Prefecture* (YFD 622) (September 5, 2009)
- *Notice of the People's Government of Chuxiong Prefecture As To Update the Replacement Price of Various Types of Houses of Chuxiong Prefecture* (CZT[2010] No.182)
- *Notice of the People's Government of Chuxiong Prefecture As To Issue the Regulations on Acquisition of Collectively-owned Land of Chuxiong Prefecture* (CZT [2010] No. 183)
- *Notice of the People's Government of Chuxiong Prefecture As To Issue the Regulations on Compensation for Demolition of Houses on the Collectively-owned Land of Chuxiong Prefecture* (CZT [2010] No. 184)
- *Notice of the People's Government of Chuxiong Prefecture As To Issue the Regulations on Resettlement of Farmers Losing Land for Urban Construction of Chuxiong Prefecture* (CZT[2010] No. 185)
- *Notice of the People's Government of Chuxiong Prefecture As To Issue the Implementation Plan of Resettlement of Farmers Losing Land in the*

Southeast New Town (CZT [2010] No.187)

- *Notice of the People's Government of Chuxiong Prefecture As To Issue the Regulations on Basic Old-age Pension of Landless Farmers of Chuxiong Prefecture (CZT [2010] No. 186)*

3.2 Monitoring on Compensation Standards

3.2.1 Monitoring on Compensation Criteria for Land Acquisition

Land acquisition of the Project involves in Dongping Community, Donggua Community, Yongxing Community, Liujia Community and Xinglong Community of Donggua Town. Major documents applied for reference of compensation for land acquisition is the *Notice of the People's Government of Chuxiong Prefecture As To Issue the Regulations on Acquisition of Collectively-owned Land of Chuxiong Prefecture (CZT [2010] No. 183)*. According to this document, lands to be acquired by the Project are all land type I, with detailed compensation standards as follows:

1. Farmland: RMB 80,000/mu (rice land and vegetable land) , RMB 40,000/mu (dry land)
2. Forest land (compensation for woods excluded): RMB 8,000/mu.
3. Unused land: RMB 6,000/mu.

Standards of Compensation for Crops:

(I) Farmland: RMB 1,500/mu (rice land and vegetable land), RMB 1,000/mu (dry land).

(II) Fishpond: RMB 2,000/ton (fishing expenses and loss compensation fee)

(III) Gardens:

1. Fruit garden: RMB 2,000/mu if seedling stage, RMB 4,000/mu if the tree is not of the non-productive age but has grown for more than one year), RMB 6,000/mu if productive age and RMB 8,000/mu if full productive age, in which, for grape gardens: RMB 2,000/mu if the tree has grown for less than one year, or RMB 4,000/mu if grown for one to two years, or RMB 12,000/mu if grown for more than two years.
2. Mulberry garden: RMB 5,000/mu if the tree has grown for less than one year, or RMB 10,000/mu if grown for one to two years, or RMB 15,000/mu if grown for more than two years.

(IV) Forest land: RMB 1,500/mu if seedling age, or RMB 3,000/mu if young and middle age, or RMB 4,000/mu if mature timber.

As of the current monitoring phase, the actually applied standards of compensation for land acquisition are the same with those stipulated in the RAP.

3.3 Fund Appropriation and Its Channel Monitoring

A special account is set up in the Finance Bureau of Chuxiong Prefecture for the resettlement fund of the Project so that to control funds including the income from charge for the use right of state-owned land and income from basic old-age pension for landless farmers. Funds in this account can be used only for designated purposes and supervision from the auditing authority, monitoring authority and the society is welcomed. Chuxiong Urban Investment Co., Ltd, the executive agency of the Project, is fully responsible to coordinate the land acquisition and demolition work of the Project and appropriate the confirmed resettlement fund to the special resettlement fund account of the government of Donggua Town. The compensation fees for land will be paid directly to the affected villages, the crop compensation fees paid to the affected individuals. See Figure 3-1 for the flow of resettlement fund appropriation of the Project.

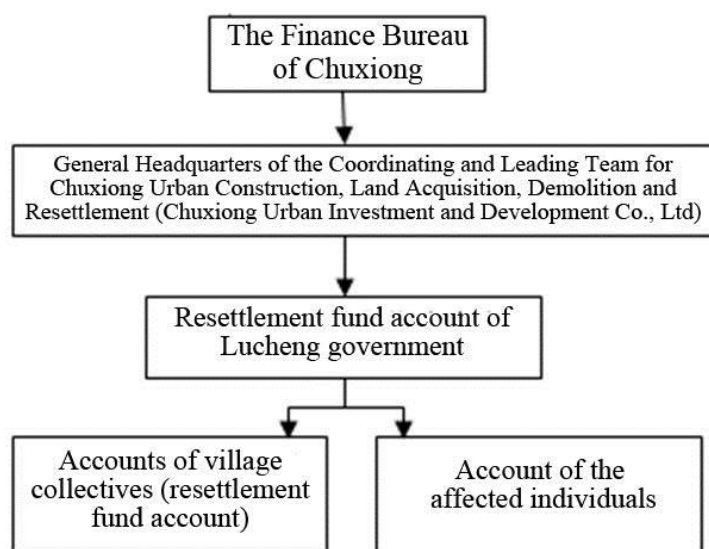


Figure 3-1 Appropriation Flow of Resettlement Fund

As this phase of monitoring, RMB 17.0247 million has been paid for the project, which is included into the land acquisition costs and young crop charges. Details of the funds allocated are shown in Table 3-1. The samples of payment vouchers are attached in Appendix II.

Table 3-1 Payment Schedule of Land Acquisition and Demolition Compensation Funds

Township (town)	Village/ community	Area of completed land acquisition (mu)	Paid land acquisition costs (RMB)	Paid young crop costs (RMB)	Total of paid amounts (RMB)
Donggua Town	Yongxing	65.64	1750400	49230	1799630
	Dongping	116.55	4662000	87412	4749412
	Donggua	71.33	5135760	53498	5189258
	Xinglong	7.81	624800	0.00	624800
	Liujiia	116.54	4661600	0.00	4661600
Total		377.87	16834560	190140	17024700

4 Implementation Measures and Progress of Resettlement

4.1 Resettlement for Land Acquisition

4.1.1 Land Acquisition and Resettlement Measure

All of the acquisition of collectively-owned land involved in the Project has been

finished and related compensation work is being carried out in order. Monetary compensation, social security measures and non-agricultural development measures, etc, are taken by the Project for comprehensive resettlement so that to guarantee that the living level of affected residents can be recovered and enhanced. See the following details:

Monetary compensation: Monetary compensation will be provided to villages and farmers affected by land acquisition of the Project, in which, the compensation standard is RMB 80,000/mu for farmland (compensation for crops excluded). Among the compensation fee for land acquisition, land compensation fees and resettlement subsidy will be managed by the village collective jointly bearing interest and be used mainly for construction of infrastructure of the village collective organization, providing assistance to poverty-stricken groups and grant public welfare, etc. Compensation for young crops and ground attachments will be paid directly to the landless farmers.

Agricultural resettlement: The compensation funds will be used as investment on crop, fish, poultry and livelihood farming, such as construction of greenhouses and expanding farming scale, etc. Meanwhile, trainings on agricultural production skills will be provided mainly to middle-aged farmers engaged in farming business so that to enhance the output of land. Moreover, among the families which are affected by the project land acquisition, if the affected farmers wish to continue to engage in the agricultural activities and require the farming land, the farmland required by the production and operation will be obtained by means of land transfer via *Management Measures for Agricultural Land Contracting and Licensing Right Transfer* (Order of Ministry of Agriculture No. 47).

Employment-based resettlement: The local government will, by ways of instructing, creating business in the community, business investment attracting and providing public-service jobs, increase jobs actively so that to facilitate employments of landless farmers. For the farmers who are skilled in agricultural production or wish to continue to be engaged in the agricultural production, the government at the municipal and town/township levels should refer them to agricultural parks or breeding bases for work..

Resettlement based on social security: According to the *Trial Procedures for Basic Endowment to Landless Farmers of Yunnan Province* and other related regulations, residents aged 16 years or above who have been registered in the rural collective economic organization should be covered by the social security package if they enjoy the agricultural collectively-owned land contract right and loose the whole or part of the land due to the legitimate acquisition by the government (the per capita land area is smaller than 0.3mu after land acquisition). See the attachments for conditions, ways and benefits of the social security package.

Other channels: in addition to the above resettlement measures, the resettlement department under the People's Government of Chuxiong City has carried out a series of technical consulting and employment skill training for affected people. Job fairs are organized at regular intervals too. With these efforts, the employment rate of landless farmers is enhanced and their economic income is increased. The means of livelihood is recovered generally and the long-term livelihood guarantee is realized. Furthermore, under the instruction of government, the "three priorities" are realized: the land user will arrange proper jobs to landless farmers, municipal, public institutions, sanitary jobs, greening and other public-service jobs will be provided to landless farmers firstly,

jobs for construction of related projects will be provided to landless farmers firstly. Preferential policies concerning business establishing will be provided to landless farmers who desire to establish business and satisfy related requirements.

4.1.2 Progress of Land Acquisition and Resettlement

Land acquisition involved in the Project is proceeding well currently. Part of the land compensation fund has been paid to the village committee, while compensation for crops and ground attachments has been confirmed and are being paid to the affected households. See the attachments for the sample agreement.

Besides economic compensation for lands, other diversified resettlement measures for land acquisition are carried out in order. For example, the officials of Yongxing Community have organized the skill training, engaged technical experts to provide training on housekeeping, cooking, maintenance, sewing, computer, etc. to the affected farmers to expand their income sources. Up to date, 5 training classes have been organized, which offered training to more than 700 people, which have effectively increased the farmers' income and livelihood recovery. Figure 4-1 shows the skill trainings organized by these communities to landless farmers.



Figure 4-1 Circular of Skill Trainings Organized By Communities to Landless Farmers and Training Classes

4.1.3 Sample Survey on Villagers Affected by Land Acquisition

In the current monitoring phase, the random survey covered 15 people from 8 groups of 2 villages. The investigation focused on the land loss and the resultant damages of these affected people, as shown in Table 4-4. The table shows that the average land acquisition ratio of the surveyed families is 31%. Among the surveyed families, no family has lost the land completely, and 1 family has the per capita arable land smaller than 0.3mu after land acquisition. These families mainly feed on planting of rice and mulberry. Respondents generally expressed that the arable land plots are small and the slope is large as the land is located at the hills and mountainous land, the land is not

even, the growing income is low, and the proportion of the agriculture income to the total income is small (average agricultural income accounted for 27%). Prior to the land acquisition, most of the main labor force work in other cities, and no family is solely dependent on the farming income. Therefore, the impact of the project land acquisition on the economic income of the affected families is small.

At the same time, the multiple livelihood resettlements are adopted for recovering the production and living conditions of the affected people. The affected families are satisfactory with the land acquisition. Respondents do not object to the land acquisition procedures and land requisition compensation of the Project.

Table 4-1 Sampling Survey Statistics of Loss of Land Resources in Villages and Groups Affected by Land Acquisition

Affected communities	Affected village/group	Householder	Family population	Female	Agricultural population	Original arable land of the family (mu)	Land acquisition of the Project (mu)	Per capita arable land after land acquisition (mu)	Proportion of land acquisition (100%)	Major crops	Damages from land acquisition (RMB/year)
Yongxing	Shuihe I	Su Yongzhang	6	3	6	5.5	2	0.58	36%	Paddy	4000
	Shuihe II	Luo Jiawen	5	3	5	4	0.8	0.64	20%	Paddy	1600
		Luo Tianwu	4	2	4	4	0.8	0.8	20%	Paddy	1600
	Shuihe III	Chen Sipin	7	4	7	5	0.7	0.61	14%	(leased)	560
	Wangliuyi	Xu Zhancai	4	2	4	5.8	0.5	1.33	9%	Paddy	1000
	Wangliu'er	Xu Wenquan	6	5	6	3.6	0.5	0.52	14%	Paddy	1000
Cheping	Wangchenshan	Chen Jiashun	6	2	6	7	4	0.50	57%	Paddy	8000
		Yang Qifu	6	3	6	5.5	3.2	0.38	58%	Mulberry	6400
	Qiaoban	Zhao Yingxue	4	2	4	7	2	1.25	29%	Strawberry	10000
		Zhao Yingwu	6	3	6	9.5	3.5	1.00	37%	Mulberry/paddy	7000
		Zhao Qiwen	3	1	3	1	0.9	0.03	90%	Paddy	1800
	Xujiashanzui	Xie Guozhou	3	2	3	4.64	1.48	1.05	32%	Mulberry/paddy	3000
		Xie Yifu	10	6	10	4.74	0.4	0.43	8%	Mulberry/paddy	800
		Xu Qiongzhi	6	3	6	4.63	1.5	0.52	32%	Mulberry/tea tree	3000
Xu Kailiang		6	1	6	5.2	1.5	0.62	29%	Paddy/mulberry/strawberry	4500	

The team also investigated the family income before and after land acquisition, and such data will be followed up continuously until the completion of the Project. Through the investigation, the team has been acquainted with the changes in the production and living standards before and after the land acquisition to determine if the affected people have realized the support objectives specified in RAP. Comparative analysis of these survey data will be written into the monitoring report at the end of the land acquisition.

The results of the sample survey showed that the current land requisition compensation work has been done in accordance with the standards of RAP; through the implementation of comprehensive compensation measures, the affected people's income is gradually restored.

5 Monitoring on Resettlement Institutions

5.1 General Monitoring on Resettlement Institutions

Whether the land acquisition, demolition and resettlement work involved in the Project can be implemented strictly following the RAP depends greatly on the availability of a powerful resettlement institution. Knowledge gained by the external monitoring team on the Project field shows that the People's Government of Chuxiong has set up an effective system for resettlement management from the upper to the bottom, all under the charge of leaders experienced of resettlement work. An effective set of rules and regulations is set up too.

5.2 Monitoring on Exact Resettlement Action Institutions

To strengthen the management of the Project, the People's Government of Chuxiong has, subject to actual work needs, issued the *Notice by the People's Government of Chuxiong to Adjust and Enlarge the ADB Loaned Construction Project* (CSZT [2014] No. 57) in 2014 which determines the upper-to-bottom management mode of the resettlement institutions. See Figure 5-1 for more details about the constituents and Table 5-1 about duties of each constituent.

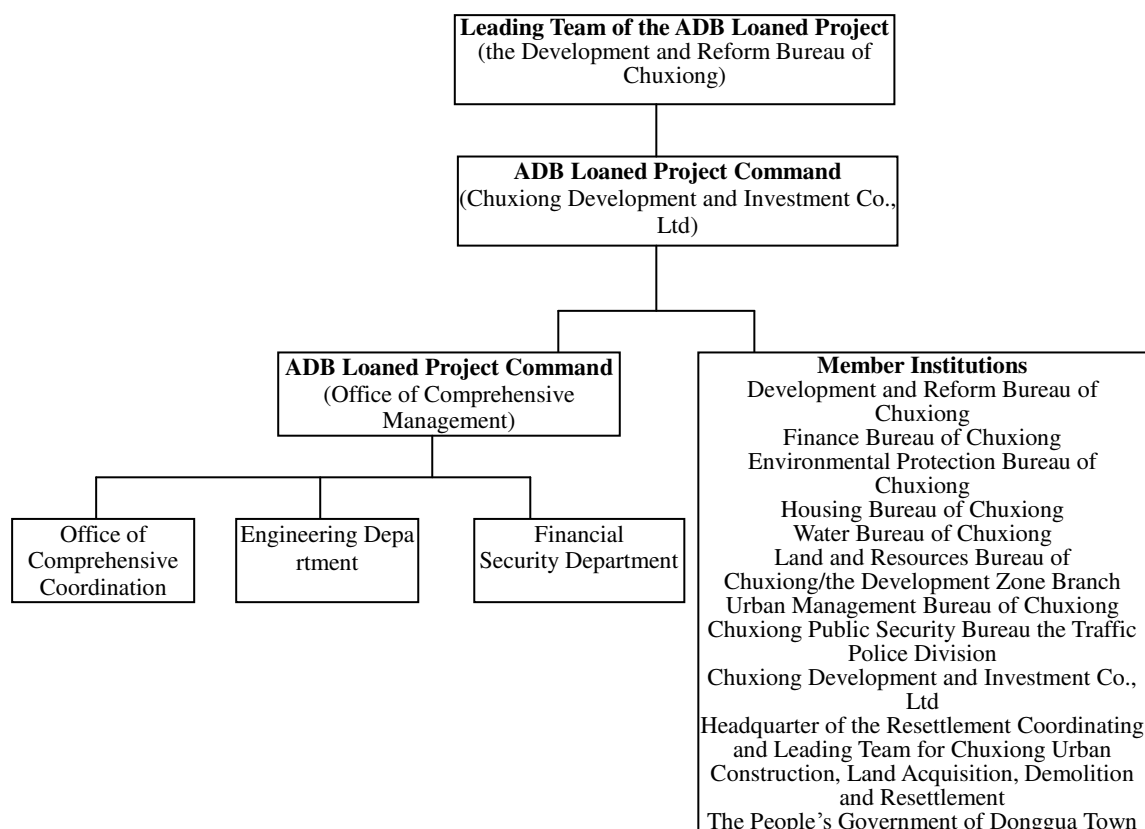


Figure 5-1 Structure of Organization for the Project

Table 5-1 Organizations for the Project and Their Duties

Organization	Main Duties	Acted by/Title	Lead by
Leading Team of the ADB Loan Construction Project	Organize to hold meetings concerning the ADB loaned construction project; facilitate and check effects and implementation of decisions made by the leading team and related work meetings; prepared significant reporting materials concerning the Project.	Mayor of the people's government of Chuxiong	Yang Zhonghua
Command for construction of the ADB loaned Project	Responsible for coordination, monitoring, management, arrangements, organizing and implementation of the Project	Chuxiong Development and Investment Co., Ltd/director	Sun Congxiang
Government of Donggua Town	Responsible for ideological work to residents and villagers involved in the Project and resettlement of landless farmers; coordinate in land acquisition and demolition work.	Chief of the people's government of Donggua Town/director	Yang Shenhu
Villager committee	Participate in the survey on social, economic situation and impact of the Project; organize for public negotiation, publicize policies on land acquisition and demolition; organize agricultural and non-agricultural production and resettlement activities; report the opinions and suggestions of affected residents/villagers to the superior authority; provide assistance to poverty-stricken households involved in the Project	Directors of the village committees	Several

5.3 Measures to Strengthen Capability of Institutions

While setting up complete resettlement institutions, training to villagers/residents/staffs involved in the resettlement work is required for the purpose of smooth implementation of the resettlement work. The training plan will be organized and implemented by the

ADB Office of Chuxiong and the leading team of the ADB Loaned Project of Chuxiong. Following measures will be taken to make perfect the capability of resettlement institutions:

- 1) Clearly define the scope of responsibility and duty of resettlement institutions at all levels; the resettlement institutions are made up various professional staffs and administrative officers, such staffs and officers shall possess related professional skills and management capability;
- 2) Main staff members of organizations at all levels shall be organized to take part in professional training, to understand domestic resettlement policies and relevant requirements of ADB to improve professional skills and abilities to deal with policy-related issues;
- 3) Give full guarantee for funds and equipment;
- 4) Establish database and strengthen information feedback, so as to make unimpeded access to information from top to bottom and vice versa, and major issues are resolved according to the decision made by leading group;
- 5) Strengthen reporting system and internal monitoring, and solve problems in a timely manner;
- 6) Establish external monitoring and evaluation mechanism, and warning system.

As of the current monitoring phase, the resettlement institutions of the Project have carried out several times of trainings in the early stage of the Project. See Table 5-2 for more details.

Table 5-2 Business Training of the Resettlement Institutions

S/N	Training Organized by	Contents of Training	Trainee	Time of Training
1	Office of the leading team for ADB loaned Project of Chuxiong	Study the experience of other provinces on resettlement work of ADB loaned projects	Members of the Project Team, leaders of related departments	2013--2014
2	Command for construction of the ADB loaned Project of Chuxiong	Resettlement policies and principles of Asian Development Bank	Members of the Project Team, leaders of related departments	December 2013
3	Command for construction of the ADB loaned Project of Chuxiong	Procedures and policies of resettlement work of the ADB loaned projects	Resettlement office of sub-districts (towns) and village-level resettlement teams	December 2013
4	Command for construction of the ADB loaned Project of Chuxiong	Land acquisition and demolition policies of China and the difference of such policies with those of the Asian Development Bank	Members of the Project Team, leaders of related departments, staffs	January 2014
5	Command for construction of the ADB loaned Project of Chuxiong	Computer operation and data processing	Members of the Project Team, leaders of related departments, staffs	March 2014
6	Command for construction of the ADB loaned Project of Chuxiong	Policies and practices of resettlement work	Resettlement office of Donggua Town and village-level resettlement teams	May 2014

7	Command for construction of the ADB loaned Project of Chuxiong	Lessons from resettlement work of similar projects	Staffs of the Project Office of People's Government of Donggua Town	January 2015
8	Command for construction of the ADB loaned Project of Chuxiong	ADB security policies and practices of land requisition and demolition	Members of the Project Team, leaders of related departments, staffs	May 2015

6 Public Participation & Grievance Channels

6.1 Public Participation

The public participation of the Project respectively embodies in: ①the public participation during Project preparation period; ②the public participation during Project implementation period. The standards to assess the public participation are: ① the awareness degree of the public of the policies of relocation resettlement. The more timely and detailed the public knows about the policies, the higher the degree of public participation is proved to be; ② the right of speech of the public towards policies of relocation resettlement. The more rights the public has to criticize and comment on the policies, the higher the degree of public participation is proved to be. The contents and ways of public participation mainly embody in the following aspects: ① negotiations; ② notices to reassure the public (publicize the policies through medias, notices etc.); ③ participation in substance loss investigation and social economy investigation; ④ appraisal of compensation standards; ⑤ selection of the site of building; ⑥ discussion of different resettlement modes and making free choice; ⑦ selection of employment; ⑧ comments on the spending of the land acquisition compensations.

Donggua Town, the place where the Project is located, is near to Chuxiong's suburb, and residents here show relatively strong consciousness about their rights and interests and they are positive in safeguarding and struggling for their rights and interests. As a result, the degree of public participation of the Project is quite high. It is learned by the monitoring team that at the early stage of the Project, the 5 affected communities under the jurisdiction of Donggua Town where the Project is located have used the internet, newspaper and other media tools to publicize the significance and function of the Project.

In this phase, the external monitoring team only visited 15 affected families. The interviewed villagers are aware of the project and believe that the project construction is in favor of the local development and they are supportive of the project. As for the allocation and use of land compensation standards, resettlement scheme and land compensation funds of the Project, the interviewees said relevant meetings have been organized and the channels for making a complaint is smooth.

6.2 Grievance Channels

To guarantee the successful construction of the Project and implementation of land acquisition, transparent and effective complaint and grievance channels are set up for the Project. In case of any difficulty in life and production, or any questions or complaints about the compensation and resettlement, during the land acquisition, demolition and resettlement process, the affected people can reflect such difficulties, questions and complaints by the following ways: 1) report to the Project command or the coordinating team; (2) report to the complaint division of local government; (3) report to the external independent monitoring institution; (4) file a lawsuit; (5) start the

accountability system of the Asian Development Bank;

- 1) Report to the leading team of the Project Command: The leading team of the Project is responsible for land acquisition and resettlement of the Project and thus they are responsible to solve all problems taking place during the land acquisition, demolition and resettlement process. It is learned by the monitoring team that the head quarter of the leading team for land acquisition, demolition and resettlement of Chuxiong has set up the land acquisition and demolition division equipped with more than 2 full-time staffs. Name and telephone of these full-time staffs are communicated to all affected villages. This team, undertaking the land acquisition and resettlement work of the Project on behalf of local government, is liable to solve all problems taking place during the land acquisition, demolition and resettlement process.
- 2) Report to the complaint division of Donggua government: A complaint division is set up by the government of Donggua town to solve complaints by the general public. Officials visit the place where difficulties, problems, conflicts and complaints are gathered on a regular basis in order to listen to voices of the public and help solve problems and difficulties of the people. Furthermore, the complaint authorities have also publicized their contact information for the public to report problems via telephone and e-mail and such reported problems will be replied and solved in time.
- 3) Report to the external independent monitoring institution: The members of the external independent monitoring organization came to the construction sites and conducted comprehensive surveys on the affected villages/groups and individuals once every half year during implementation of the Project. In virtue of the special nature of the external independent monitoring organization, many leaders from local governments and displaced persons preferred to trust this organization and report any problems to the personnel of this organization. The monitoring team can, during the door-to-door interviewing, collect the complaints and report such complaints to the Project headquarters and local government and take such complaints as the focus for future tracking report in the coming monitoring phases.
- 4) File a lawsuit: The affected people can, if the above measures are turned out ineffective to solve his/her problems, apply to the competent administration authority for arbitration according to the *Administrative Litigation Act of the People's Republic of China*, or file a civil lawsuit at the civil court according to the civil procedures if he/she is unsatisfactory at the arbitrament after receiving such arbitrament.
- 5) Start the accountability system of the Asian Development Bank: The affected people can, if he/she is unsatisfactory at the solution to his/her problems, login in the website of the Asian Development Bank to call directly related departments of the Asian Development Bank to handle. Website of the Asian Development Bank: <http://www.adb.org/Accountability-Mechanism/default.asp>

7 Problems and Plan

The Project has started and proceeds continuously. Land acquisition is being carried out smoothly. Meanwhile, the funds from domestic sources have been available, and the land acquisition and compensation is proceeding smoothly, and some data are being

sorted and summarized. Implemented resettlement work up to now proves that, thanks to the careful early preparation for resettlement, the resettlement action plan has been prepared rather feasibly, compensation standards have been made reasonably and resettlement measures have been implemented, Moreover, due to the extensive public participation and active work of the resettlement authorities, all the resettlement actions have been taken strictly according to the resettlement action plan and no severe problems appear.

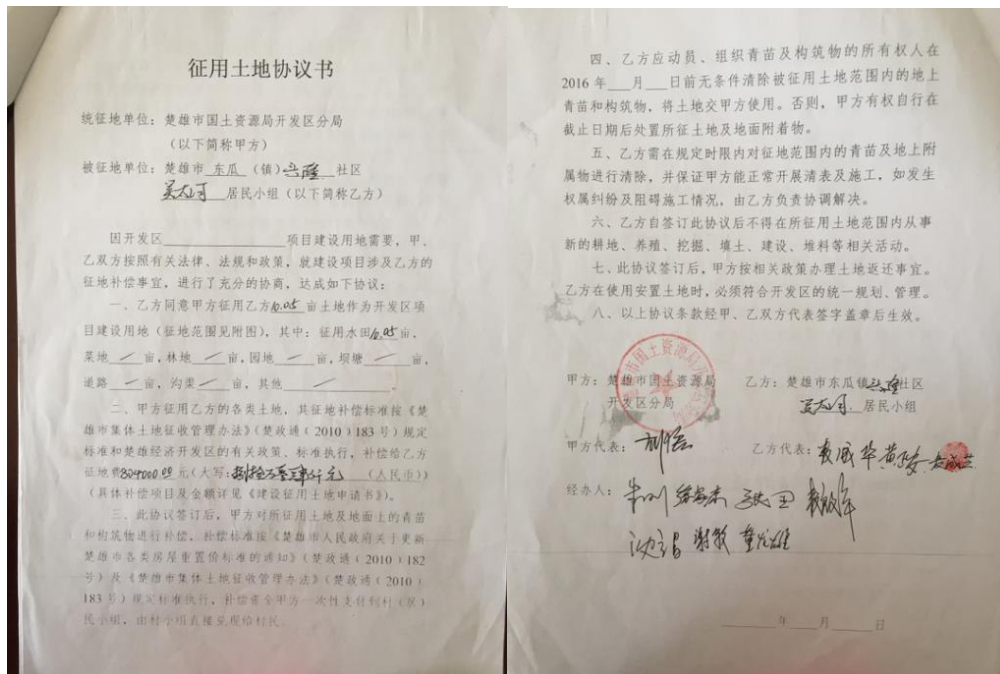
Work Arrangements for the Next Step:

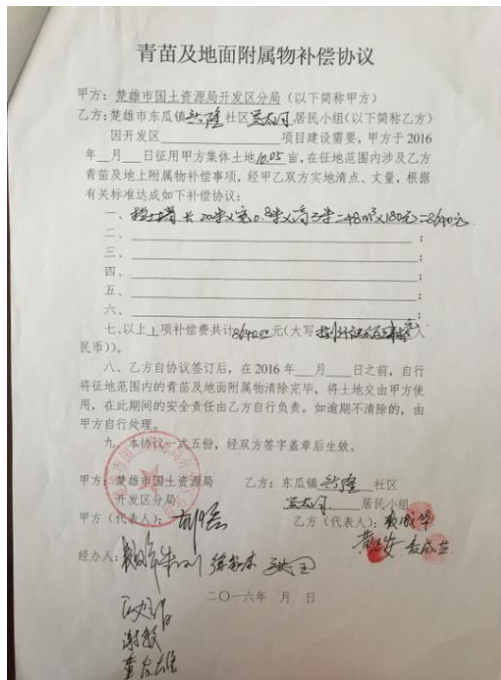
The monitoring team will attach great emphasis to following issues in the report of the coming monitoring phase:

- Engineering progress of the Project;
- Progress of land acquisition, demolition, compensation and resettlement;
- Appropriation and payment of the resettlement fund for land acquisition and demolition;
- Continuous tracking of recovery of production and living of the households whose land is acquisitioned;
- Public participation, grievance and complaints concerning the Project.

8 Appendixes

Appendix I: Sample Agreement of Land Acquisition





Appendix II Compensation Payment Vouchers



Appendix III: Standard of Expenses for the Basic Endowment Insurance of Landless Farmers and Raising of Such Expenses

- 1) The standard of payment for basic endowment insurance of landless farmers is no less than the minimum living guarantee of urban residents of the current year released by the civil authority of Chuxiong. Landless farmers at the age of 16-60 years old shall pay 15 years of basic endowment insurance charges in one time, while those older than 61 years old pay 10 years.

- 2) Base percentage of payment for basic endowment insurance of landless farmers: Funds for the basic endowment insurance is contributed by the farmer, village collective and the government. Payment by the farmer and subsidy from the village collective is no greater than 60% of the total and the part to be paid by the government is no less than 40% of the total. The village (community) will decide the exact payment amount by the farmer and the collective. However, the subsidy from village collective shall in no case be lower than 15% of the total payment amount, while the part to be paid by the farmer shall be no greater than 45% of the total.
- 3) Funds for basic endowment insurance of landless farmers will be raised by ways of payment by the farmer, subsidy from the village collective and subsidy from the government.
 - (I) The part to be paid by the farmer will be paid by such farmer;
 - (II) The subsidy by the collective will be allocated from the compensation for land acquisition and other income sources of the collective.
 - (III) The subsidy by the government will be arranged uniformly by the received basic endowment guarantee for landless farmers and the gap (if any) will be made up from earnings from the land sold by the government.

From the very implementation day of this regulation, the people's government of Chuxiong will, when providing land for related projects, charge the basic endowment guarantee for landless farmers from the land user at the rate of RMB 20,000/mu in one time and such charges will be saved in a special account of the finance authority to set up the basic endowment fund for landless farmers and such fund will be served as the source of subsidy by the government. The people's government of Chuxiong will set up also the regulation fund system for the basic endowment guarantee to landless farmers. Such regulation fund will be extracted from the net income on land sold at the rate of 5% and will be used to make up the gap of basic endowment guarantee funds and treatment adjustment. In case of gap then, income of the finance authority from selling of the state-owned land will be used.

- 4) Payment by the farmer, subsidy from the collective and subsidy from the government for the basic endowment insurance to land-losing farmers will be made together. The payment made by the farmer and subsidy from the collective will be credited into the basic endowment guarantee account of the farmer, while subsidy from the government will be credited into the basic endowment regulation account.

Appendix IV: Benefits of the Basic Endowment Insurance for Landless Farmers

- (I) The conditions to get the old-age pension: any person reaching 60 years old and having paid the basic endowment guarantee in full amount according to related regulations can get the old-age pension according to the standard corresponding to the amount he/she has paid, until the death of such person.
- (II) Granting of the basic old-age pension shall be subject to that stipulated by the rural social endowment insurance;
- (III) The standard of old-age pension shall be no lower than the minimum living guarantee of urban residents of the current year released by the civil authority.
- (IV) People who have handled the rural social endowment insurance before setting up the

basic endowment insurance system to landless farmers can kept his/her former account unchanged. When the person reaching the conditions to get the pension, his/her pension treatment shall be counted separately from the basic endowment for the landless farmers.

- (V) The guarantee period to get the basic pension is 10 years, that is, if the insured is still alive after the expiration of this 10-year guarantee period, he can get the basic pension according to the original standards; or if the insured died before the expiration of such 10-year guarantee period, balance in his account will be returned to his/her legal heir or appointed beneficiary in one time (principal and interest included), or will be included in the regulation account if he/she has no legal heir or appointed beneficiary.
- (VI) If the insured of the basic endowment insurance to landless farmers died before he/she reaching the age to get the benefit, all the balance in his account (principal and interest) will be fully returned to his/her legal heir or appointed beneficiary, or will be included in the regulation account if he/she has no legal heir or appointed beneficiary.