

Resettlement Plan

Project Number: 50050-004
July 2017

PRC: Guangxi Regional Cooperation and Integration Promotion Investment Program – Tranche 2

Prepared by the Guangxi Zhuang Autonomous Region Government for the Asian Development Bank.

This resettlement plan is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature. Your attention is directed to the "terms of use" section on ADB's website.

In preparing any country program or strategy, financing any project, or by making any designation of or reference to a particular territory or geographic area in this document, the Asian Development Bank does not intend to make any judgments as to the legal or other status of any territory or area.

ADB-financed Guangxi Regional Cooperation and
Development Project (Tranche 2)

DongxingChanghu Road East Section Construction Project

Resettlement Plan (Draft)

**Dongxing City Government
DongxingInvestment & Development Co., Ltd.**

July 2017

Letter of Commitment

The People's Government of Guangxi Zhuang Autonomous Region, through the Ministry of Finance of the People's Republic of China (the "PRC"), has applied for a loan from the Asian Development Bank (ADB) for the construction of the Guangxi Regional Cooperation and Development Project (Tranche 2). One of its subprojects is the East Changhu Road Project (hereinafter, the "Project"), which is to be carried out in Dongxing City. The Resettlement Plan (RP) meets key requirements of ADB's social safeguard policies. The RP is based on the feasibility study report of the Project, and is compiled using the results of the preliminary surveys of the potential resettlement impacts. This RP complies with the laws and regulations of the PRC and the involuntary resettlement policies and procedures of ADB

The Dongxing City Government (DCG) hereby acknowledges the contents of the RP, and warrants that the budgetary funds of this RP will be included in the general budget of the Project and made available on time. DCG has discussed and approved the draft RP with agencies concerned through the Dongxing Project Management Office (DPMO) and Dongxing Investment & Development Co., Ltd. (DIDC), and obtained their confirmation. DCG hereby authorizes DIDC to implement the Project and the overall planning and coordination of the land acquisition and resettlement program. The relevant government departments of Dongxing City will be responsible for implementing the Project and the related resettlement programs within their jurisdictions.

Agencies (Seal)	Signature	Date
Dongxing City Government		2017.7.7
Dongxing Investment & Development Co., Ltd. in Guangxi		2017.7.7

Contents

1. OVERVIEW OF THE PROJECT	1
1.1 BACKGROUND OF THE PROJECT	1
1.2 DESCRIPTION OF THE PROJECT	1
1.3 LAR IMPACTS	2
1.4 PREPARATION OF RP AND IMPLEMENTING PLAN	3
2 IMPACTS OF LAND ACQUISITION AND RESETTLEMENT	4
2.1 MEASURES TO REDUCE LAR IMPACTS.....	4
2.2 EVALUATION METHODS FOR LAR IMPACT	4
2.3 OVERVIEW OF THE IMPACT SCOPE.....	4
2.4 TYPES OF LOSSES	4
2.4.1 <i>Permanent Acquisition of Collective Land</i>	4
2.4.2 <i>Temporary Land Occupation</i>	5
2.4.3 <i>Demolition of Non-residential Structures</i>	6
2.4.4 <i>Affected Ground Attachments</i>	7
2.5 AFFECTED POPULATION	7
2.5.1 <i>Affected households and persons</i>	7
2.5.2 <i>Affected disadvantaged and Vulnerable Households</i>	7
2.6 EVALUATION OF THE LAND AND INCOME LOSS.....	8
3 SOCIOECONOMIC PROFILE OF THE PROJECT AREAS	10
3.1 SOCIOECONOMIC PROFILE OF DONGXING	10
3.2 SOCIOECONOMIC PROFILE OF THE AFFECTED VILLAGE	10
3.2.1 <i>Demographic characteristics of APs</i>	11
3.2.2 <i>Status of the demolished houses</i>	12
3.2.3 <i>Land use</i>	12
3.2.4 <i>Economic situation of APs</i>	12
3.2.5 <i>Gender-based expectations for the resettlement</i>	13
4 INFORMATION DISCLOSURE AND PUBLIC PARTICIPATION	15
4.1 INFORMATION DISCLOSURE	15
4.1.1 <i>Project Information Disclosure</i>	15
4.1.2 <i>Disclosure of RP</i>	17
4.1.3 <i>Resettlement Information Brochure (RIB)</i>	17
4.2 PUBLIC PARTICIPATION DURING THE PREPARATION OF RP.....	17
4.3 WOMEN’S PARTICIPATION.....	19
4.4 PUBLIC PARTICIPATION DURING THE IMPLEMENTATION OF RP	19
4.5 GREVIENCE REDRESS MECHANISM	20
5 LEGAL FRAMEWORK AND POLICIES	21
5.1 LAWS, REGULATIONS AND POLICES APPLICABLE TO LA AND RESETTLEMENT	21
5.2 RELEVANT LAWS AND REGULATIONS OF THE PRC.....	21
5.2.1 <i>Decision of the State Council on Deepening the Reform and Rigidly Enforcing Land Administration (No. 28 [2004] of the State Council)</i>	22
5.2.2 <i>Land Administration Law of the PRC</i>	22
5.2.3 <i>Measures of GZAR for the Implementation of the Land Administration Law of the PRC</i>	23
5.3 SUMMARY OF ADB POLICY ON INVOLUNTARY RESETTLEMENT	24
5.4 DIFFERENCES BETWEEN PRC’S REGULATORY FRAMEWORK AND ADB’S INVOLUTNARY RESETTLEMENT POLICY	26
5.5 COMPENSATION STANDARDS AND PRINCIPLES OF THE PROJECT	29
5.5.1 <i>Definition of Compensation Qualification</i>	29

5.5.2	<i>Compensation Principles of the Project</i>	29
5.5.3	<i>Compensation Standard for Permanent Land Acquisition</i>	29
5.5.4	<i>Compensation for Temporary Land Occupation</i>	29
5.5.5	<i>Compensation for Demolition of Non-residential Properties</i>	30
5.5.6	<i>Demolition of Ground Attachment</i>	30
5.6	ENTITLEMENT MATRIX.....	30
6	RESETTLEMENT REHABILITATION PROGRAMS	34
6.1	OBJECT AND PRINCIPLES OF RESETTLEMENT PLAN	34
6.2	RESETTLEMENT AND INCOME RESTORATION.....	34
6.2.1	<i>Relocation and Resettlement Plans for Non-residential Houses</i>	34
6.2.2	<i>Restoration Programs for Collective Land Acquisition</i>	35
6.2.3	<i>Employment Opportunities Provided by the Project</i>	37
6.2.4	<i>Social Insurance Program</i>	37
6.2.5	<i>Income Opportunities Provided by the Project</i>	37
6.2.6	<i>Provide Government Welfare Positions</i>	38
6.2.7	<i>Skill Training of the APs</i>	38
6.2.8	<i>Restoration Plan for Ground Attachments</i>	38
6.2.9	<i>Issues of Special Focus in the Resettlement Process</i>	39
7	RESETTLEMENT BUDGET	41
7.1	COMPENSATION AND RESETTLEMENT BUDGET	41
7.2	ANNUAL BUDGET.....	42
7.3	DISBURSEMENT OF RESETTLEMENT FUNDS.....	42
8	IMPLEMENTATION OF RP	43
8.1	PRINCIPLES OF RP	43
8.2	RESETTLEMENT IMPLEMENTATION SCHEDULE.....	43
9.	RESETTLEMENT ORGANIZATIONAL STRUCTURE AND CAPACITY BUILDING	45
9.1	ORGANIZATIONAL SETUP OF RESETTLEMENT AGENCIES OF THE PROJECT.....	45
9.2	RESPONSIBILITIES OF RESETTLEMENT AGENCIES	45
9.3	ENHANCE INSTITUTIONAL COMPETENCIES.....	47
9.3.1	<i>Evaluation of Institutional Competencies</i>	47
9.3.2	<i>Institutional Competence Building</i>	47
10	MONITORING, EVALUATION AND REPORT	48
10.1	OBJECTIVES	48
10.2	INTERNAL MONITORING.....	48
10.3	EXTERNAL MONITORING AND EVALUATION.....	48
10.3.1	<i>Monitoring indicators</i>	49
10.3.2	<i>Methodology</i>	49
10.3.3	<i>Main Tasks</i>	49
10.4	REQUIREMENTS FOR THE REPORT.....	50
APPENDIX:	RESETTLEMENT INFORMATION BOOKLET	51

Abbreviations & Units

ADB	Asian Development Bank
AFs	Affected Families
APs	Affected Persons
DI	Designing Institute
DMS	Detailed Measurement Survey
EA	Executing Agency
F	Female
DLRB	Dongxing Land and Resources Bureau
DCG	DongxingCity Government
DPMO	Dongxing Project Management Office
FSR	Feasibility Study Report
GDP	Gross Domestic Product
GZAR	Guangxi Zhuang Autonomous Region
HHs	Households
IA	Implementing Agency
IMA	Independent Monitoring Agency
LA	Land Acquisition
LAR	Land Acquisition and Resettlement
LRB	Land and Resources Bureau
M	Male
M&E	Monitoring & Evaluation
MLG	Minimum Living Guarantee
OP	Operational Program
PLG	Project Leading Group
PMO	Project Management Office
PPTA	Project Preparation Technical Assistance
PRC	People's Republic of China
RC	Residents' Committee
RIB	Resettlement Information Booklet
RO	Resettlement Office
ROW	Right of Way
RP	Resettlement Plan
S&T	Science and Technology
TOR	Terms of Reference
US\$	US Dollar
WF	Women's Federation
km ²	square kilometer
%	percentage
mu	Chinese unit of land: 1 mu=1/15 hectare (or 1 hectare=15 mu)
Yuan (CNY)	Chinese currency unit: 1yuan=1/6.887 US\$ (1US\$=6.887 yuan)

Executive Summary

Dongxing's East Changhu Road Project (hereinafter, the "Project"), located in the gentle slope of a low hill, is one of the main roads in the community with the direction from west to east. Its west end connects the eastern part of Luofujiang Bridge, while its east end extends to the Gongye Avenue. Passing through this region from the north, the east part of Changhu Road is an important corridor in the area of low hill and gentle slope; thus the Project enjoys an important location. Except for the crossing of villages at the beginning of the road, rest of the road goes through hilly, mountainous and forest areas. The east part of Changhu Road is an important section of the construction of Dongxing City. By implementing this Project, the road network and infrastructure will be improved and the development of Dongxing City will be promoted.

The collective land to be acquired for the Project is about 743.63 mu , comprising 89.997 mu (12.1%) of cultivated land, 359.015 mu (48.3%) of forest land, and 294.618 mu (39.6%) of garden land. There are 1,588 households with 4,564 persons who will be affected by permanent land acquisition (LA), while 12 households with 38 persons will be affected by temporary acquisition of 35 mu of land. About 26,623.5 m² of non-residential houses will be demolished, affecting 16 households with 72 persons, who will also be affected by LA. Related ground attachments will also to be affected, such as tombs, motor-pumped wells, regular wells, pools and enclosing walls, etc. Altogether, 1,611 households with 4,674 persons will be affected by the Project.

To avoid or at least to minimize LA and resettlement of the Project, during its feasibility study, public consultations were conducted by the resettlement advisory body, project designing agency, project implementing agency (or DIDC), local officials and the village committee of Nanmushan to understand how to avoid or minimize land acquisition and resettlement (LAR) impacts, and their suggestions were included in the RP.

The compensation for permanent LA is based on the following laws and regulations, including *the Land Administration Law of the PRC* (amended and enforced in 2004), *the Decision of the State Council on Deepening the Reform and Rigidly Enforcing Land Administration* (No. 28 [October, 2004] document of the State Council), *Notice of Dongxing Municipal Government on Issuance of the Interim Provisions on the Implementation of Uniform Annual Output Value Standard for Collective Land Acquisition in Dongxing City* (No. 4 [2011] document released by DCG), and *Notice of Dongxing Municipal Government on Issuance of the Provisional Measures for the Administration of Compensation and Resettlement of Rural Housing Demolition in Dongxing City* (No. 15 [2012] document released by DCG).

The Resettlement Plan (RP) will comply with the *Safeguard Policy Statement* (SPS, 2009) of ADB. In consultation with local governments and affected persons (APs) and based on existing practices, the RP includes the following principles: (i) LA and involuntary resettlement should be avoided or minimized in viable design schemes; (ii) compensatory

standards and rights guarantees must be established to maintain an existing standard of living for the APs and to improve their lives; (iii) to minimize the size and duration of temporary land occupation; (iv) all APs (both legal and illegal) should be included in the scope of compensation; (v) the RP should be developed and implemented in accordance with national land policies, economic and social development plans; (vi) all APs are fully informed of their rights and interests, compensation amount and standards, livelihood and income plans, and project schedule; (vii) the RP shall be adapted to regional and economic development and environmental protection; (viii) practical measures must be developed to restore the affected properties; and (ix) closely monitor the progress of the Project and take timely measures to solve problems. In the case of households to be relocated, cash compensation is required for the House Demolition, and the relocation site is arranged, along with relocation subsidies. The implementing agency (IA) and the local government will assist APs to select the relocation site and help them relocate.

The APs have understood the key elements of the RP, which include project information, the impact of LAR, laws and regulations, compensation for losses, livelihood and income restoration plans, and engineering processes. During the process, through surveys and consultation meetings, most of the affected residents propose that once their land is acquired and the houses are demolished they require timely access to fair compensation, employment opportunities, and opportunities for their children to be educated. The affected residents indicated that they are not very concerned about the land losses, because the LA involves low hilly land, which the villagers have already transferred to professionals engaged in planting and breeding as early as 1990s, and the lease contracts will be ended in 2027. In addition, the LA rate of this Project is 4.63% in Nanmushan Village, thus it will have a limited impact on the village community and economy. The loss rate of per capita income is 3.18%. Residents affected by LA are willing to use compensation for cross border trade or to receive training to be employed by enterprises and institutions. They also hope that the project construction will be implemented as soon as possible, through which they can be compensated in a timely manner, and the road construction is conducive to interconnection with regional economy to facilitate cross border trade. All the aspirations of the APs have been incorporated into the RP and its implementing program. The relevant measures will be carried out during the Project. The Resettlement Information Booklet (RIB) will be issued to the affected villages and persons by May, 2017. After being approved by DCG, the RP will be distributed among the affected villages and households in May, 2017. It will then be given to the village committee and to any resident who wants to consult the document. Meanwhile, the RP will be uploaded on the ADB website. The RP will be updated per DMS findings, and the updated version will be shown to the APs and submitted to ADB for review and approval. The DPMO and DIDC are responsible for the supervision of public consultation, monitoring the project progress and solving the complaints of APs. The GRM has been established and detailed information are given in the RP and the RIB.

Cash compensation will be given to the APs who lost land permanently. The land will not be re-adjusted with the consent of the APs and the village committee, as the remaining land is limited and will be completely acquired in the near future to cater for the rapid

development of Dongxing city. The compensation will be provided per the compensation standards of different types of land. Similarly, the cash compensation for ground attachments will be determined per the value of replacement, and there will be no deduction for depreciation, and resettlement subsidies will also be paid to the APs in cash. PMO, IA, resettlement PMO and local governments will provide necessary assistance during the resettlement. The economic recovery measures include: (i) providing 20 jobs per year to the APs during the project construction; (ii) sharing social insurance with APs, 30 percent of which is provided by the government, while the other 70 percent by rural collectives and farmers themselves (those who have lost land); (iii) the development of cross border trade; and (iv) the provision of skill training for APs in order to improve their competitiveness in job market and facilitate their employment in other institutions, corporations and industries.

APs who will lost their land temporarily will receive the value of crops damaged in cash. The land reclamation fee will be paid to in cash by the project contractor. After the completion of the project, the temporarily occupied land will be restored to their previous condition and quality. Per IA's estimates, the project construction will offer 30 short-term jobs a year. The priority of the jobs will be given to the APs, who can gain a monthly income of more than 2,000 yuan.

For demolished non-residential buildings, the local government will provide cash compensation, and will assist the affected families (AFs) in contracting or leasing land in the vicinity of resettlement sites to rebuild their houses. Relocatees will receive relocation subsidies and temporary transitional subsidies. Ground attachments will be compensated to the property owners.

In accordance with the prices of May 2017, the cost of LA and resettlement is estimated at 47.248 million yuan, including compensation for permanent LA, related taxes, expenses of M&E, and other unforeseen expenses. To ensure that the resettlement schedule can be linked with the construction schedule of the Project, LA will begin in March 2018 and will be completed in July 2021. Resettlement and compensation, livelihood and income restoration will benefit all the APs. The project will not proceed without the APs' approval. An improved GRM has been established at the the village committee level.

To ensure the successful implementation of the RP, internal and external monitoring of the plan will be conducted. IA will conduct internal supervision and monitoring to ensure that it fulfills the commitment in compliance with the provisions of the RP. The PMO and IA agree on a series of supervision time arrangements with ADB to ensure a timely and effective implementation of the resettlement program. An independent monitoring agency (IMA) will be recruited by PMO and will conduct external M&E. The external monitoring report is submitted every six months during the resettlement process, and annually thereafter for two years. The monitoring report will be submitted to the ADB, the PMO and the IA, and uploaded on the ADB's website.

1. Overview of the Project

1.1 Background of the Project

Dongxing City is in the southwest end of the PRC's continental coastline, and south of Guangxi. Facing the Beibu Gulf in the southeast and bordering Vietnam in the southwest, it boasts a geographical advantage along the border, the river and the sea.

Dongxing is at the intersection of China-ASEAN Free Trade Area (CAFTA) and the "Two Corridors and One Circle" by land and sea, and the core area of "One Axis and Two Wings" of Pan-Beibu Gulf Economic Cooperation. It is the crucial link between the PRC's southwest hinterland and the border, and the coastal areas. As one of the five functional groups of Guangxi Beibu Gulf Economic Zone, Dongxing is one of the most convenient and ideal channels by land and sea in western PRC connecting it to Vietnam and other ASEAN countries.



Figure 1-1 Location of Dongxing City

1.2 Description of the Project

The east part of Changhu Road, located in the gentle slope of a low hill, is one of the main roads in the community extending from west to east. Its west end connects the eastern part of Luofujiang Bridge, while its east end extends to the Gongye Avenue. Passing through this region from the north, the east part of Changhu Road is an important corridor in low hill and gentle slope; thus, the Project enjoys an important strategic location. The design length of the east section of Changhu Road is 3,703.616m, with a 62-m boundary width, a grade of primary urban road and a design speed of 60 km/h. The project includes construction works of road, bridge (culvert), traffic, rainwater drainage, wastewater treatment, water supply, lighting, landscaping, electric power, telecommunication, pipe, trench, and gas. The estimated total investment of the project is 363,136,000 yuan. At present, it has completed the preliminary work of project office establishment, project planning and design, feasibility studies, environmental assessment, water protection, and pre-examination of land use. The project owner is Dongxing Investment & Development Co., Ltd. (DIDC). See Figure 1-2 for details.



Figure 1-2 Project Introduction and Status of Construction Land

The project will form the road network of Dongxing in low hilly and gentle slope area together with other roads in the region, which will provide the necessary basic conditions for the development and utilization of the region, improve the land use value, and provide the conditions for the long-term development of Dongxing City, enhancing its development strength. The construction of the project will improve the investment environment and create conditions for the introduction of foreign capital, thus promoting the economic development of Dongxing.

The construction of this project is in line with the daily communication needs of Dongxing City's economic development. The direct beneficiaries of the project are the local people, enterprises, the government, and the enterprises that will invest in the vicinity after the completion of the project. Through the construction of the project, the regional transportation conditions and the living and production environment will be improved, the social and economic development will be facilitated, and the people's lives perfected, so the local government and people extend great support to the project. Furthermore, the social environment and humanistic conditions of the project location are adapted to its construction and the sustainable development. See Figure 1-3 for details.

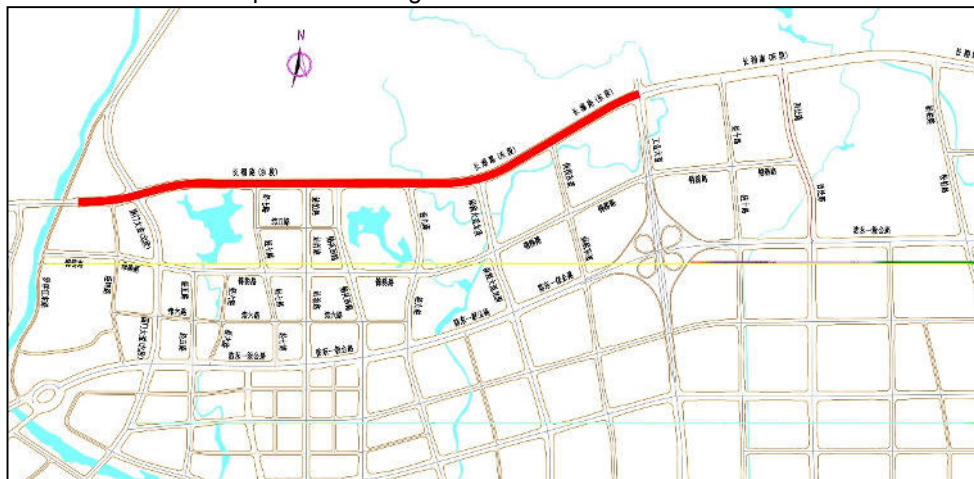


Figure 1-3 Location of East Changhu Road, Dongxing

1.3 LAR Impacts

The types of land include cultivated land, forest land, and garden plots with cluster of buildings and houses. The scope of the project impact is mainly measured through the feasibility study report (FSR). Project construction involves permanent LA, temporary land occupation, demolition of non-residential buildings, and ground attachments.

The construction of the project needs to acquire 743.63 *mu* of collective land from Nanmushan Village, Dongxing Town of Dongxing City. Among them, 89.887 *mu* are cultivated land, 359.015 *mu* are forest land, and 294.618 *mu* orchard plots. In total, 1,588 households with 4,564 persons are affected. The main losses of AHS are cultivated land, forest land and orchard plot.

In addition, for the construction access road, construction site, and storage of building materials, the project contractors need temporarily land. For these purposes, the LA temporarily occupies 35 *mu* of forest land, affecting 12 households with 38 persons. The main impact is the loss of forest land.

Because of LA, a total 26,623.5m² of non-residential buildings need to be demolished, with 22,867.5 m² of rural production buildings, and 3,756 m² of a collective plant. The main structure of the buildings is masonry concrete, masonry timber, earth timber, and simple structure. It altogether affects 72 persons with 16 families in the village.

A total of 1,611 households with 4,674 persons are affected by permanent LA, temporary land occupation, demolition of non-residential properties and ground attachments during the construction of the road. (Note: As compensation is distributed evenly among all members of the village group, the population of all village groups involved is listed as the APs.)

1.4 Preparation of RP and Implementing Plan

The RP is drafted following the "Safeguard Policy Statement" (SPS, 2009) of ADB and the relevant laws and regulations of the PRC, GZAR, and Dongxing City. The RP will be uploaded upon reviewed and approval by DCG and ADB.

Prior to the project implementation and the award of the civil engineering contract, the project owner will update the RP based on the results of the detailed design surveys and will submit it to ADB for review and approval.

2. Impacts of Land Acquisition and Resettlement

2.1 Measures to Reduce LAR Impacts

To avoid and at least to minimize the impacts of land acquisition and resettlement (LAR), the selected programs of the East Changhu Road Project in Dongxing have undergone a careful review of the feasible aspects of technology, economy, finance, environment and LAR, and an optimal one has been chosen accordingly. In view of the need to reduce the impact of LA and the loss of property, the following measures has been taken to reduce such impacts: (1) strictly control the scope of land use through coordinate mapping; (2) reduce the occupation of farmland and avoid densely-populated residential areas, and (3) avoid the upper and middle reaches of the protection areas of the drinking water source, the protection areas of forest and the maintenance areas of the forest land. It's estimated that the impacts on about 80 mu collective land and 5,000 m² housing area are minimized during FSR and RP preparation stage of the Project.

2.2 Evaluation Methods for LAR Impact

The definition of LAR impacts depends on the data of relevant government departments, questionnaires, measurement surveys, and field visits, site visits, meetings and personal interviews to the APs.

Under the guidance of PMO and IA, Nanmushan Village of Dongxing Town conducted a full range of property and socioeconomic surveys to obtain the required data and prepare the RP. The survey has provided scope, scale and extent of the impacts to evaluate the losses generated by the Project, develop a livelihood restoration plan for the APs, and estimate the resettlement budget.

The Project will affect the land, houses, and ground attachments. The APs have been given the information about the quantity and type of LA and house demolition (HD). Representatives of the APs have conducted adequate consultations and negotiations on LA and resettlement of the RP.

2.3 Overview of the Impact Scope

Per the scope of impacts determined by FSR, the categories of LAR impact include permanent LA, temporary occupation of land, demolition of non-residential buildings and ground attachments, all of which are distributed within the Nanmushan Village of Dongxing Town. Table 2-1 shows a summary of confirmed LAR impact.

Table 2-1 Summary of LAR Impact

Village	Permanent LA		Temporary Land Occupation	Demolition of Non-residential Properties ¹	APs	
	Total land area (mu)	Collective Land (mu)	Total land area (mu)	Total floor area (m ²)	HHs	Population
Nanmushan Village	743.63	743.63	35	26623.5	1611	4674

Source: Land Acquisition and House Demolition Office of Dongxing City (March 2017).

Note: 1. Households and persons affected by the demolition of non-residential houses will also be affected by permanent LA; 2. The population of all villager groups involved is listed as the APs because the compensation is evenly distributed among the members of the groups.

2.4 Types of Losses

2.4.1 Permanent Acquisition of Collective Land

A collective land of 743.63 mu will be acquired for the project (table 2-2).

Table 2-2 Impact of Permanent LA on Villagers (by Group)

Affected Households				Land to be acquired (<i>mu</i>)			
Village	Group	HHs	Population	Total	Cultivated land	Forest land	Garden land
Nanmushan	Shanghuang	54	239	17.531	1.545	15.986	
Nanmushan	Xiahuang	89	289	22.718	3.614	19.104	
Nanmushan	Xinqiao	174	397	45.214		45.214	
Nanmushan	Luofu	99	248	28.787	7.552	21.235	
Nanmushan	Xingle	159	427	43.215		43.215	
Nanmushan	Hongshigou	73	207	36.116	8.552	27.564	
Nanmushan	Village Committee	0	0	132.251		132.251	
Nanmushan	Jiaoying	110	290	30.076	3.564		26.512
Nanmushan	Xitou	57	165	8.325			8.325
Nanmushan	Chenwu	88	242	21.131	6.881		14.25
Nanmushan	Hongying	35	139	33.856			33.856
Nanmushan	Zhongba	29	78	9.689			9.689
Nanmushan	Dongba	50	137	7.325			7.325
Nanmushan	Luowu	60	170	62.87	4.56		58.31
Nanmushan	Liwu	61	161	24.138	5.645		18.493
Nanmushan	2 nd Dongtou	24	72	22.841	6.22		16.621
Nanmushan	Changzheng	50	130	11.349	2.897		8.452
Nanmushan	Xifeng	52	160	6.226			6.226
Nanmushan	Dongfeng	98	326	17.881			17.881
Nanmushan	Huangwu	56	172	36.459	8.114		28.345
Nanmushan	Shuipojiang	38	124	31.004	4.882		26.122
Nanmushan	Shanjiao	42	129	20.769	6.558		14.211
Nanmushan	Suwu	52	139	48.761	12.541	36.22	
Nanmushan	Puzai	38	123	25.098	6.872	18.226	
Total		1588	4564	743.63	89.997	359.015	294.618

Source: Land Acquisition and House Demolition Office of Dongxing City (March 2017).

Note: 1. Since the land belongs to the collective of the village group, and all the members of the local village group participate in the distribution of land compensation, all the members of the affected village group shall be identified as the APs.

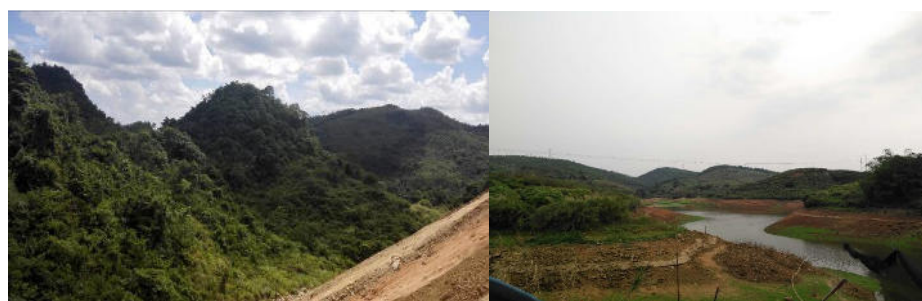


Figure 2-1 Land form of the project area

2.4.2 Temporary Land Occupation

The EastChanghu Road Project in Dongxing City involves a temporary land occupation of 35 *mu*, which is located in Nanmushan Village, and affects 12 households with 38 persons. The occupied land is mainly used for construction access road, camp, and stockyard. The expected occupancy period is 12 months. See Table 2-3 for details.

Table 2-3 Impact of Temporary Land Occupation

Village	AHs	APs	Land area of temporary occupation of collective land (mu)	Type of land (mu)
				Forest land
Nanmushan	12	38	35	35

Source: Land Acquisition and House Demolition Office of Dongxing City (March 2017).

2.4.3 Demolition of Non-residential Structures

All non-residential buildings that need to be demolished for the project are all rural productive houses in Nanmushan Village. A total 26,623.5 m² of buildings constructed with masonry concrete, masonry timber, earth timber, simple structure and sundry structure will be demolished, affecting 16 households with 72 persons, with an average of 1,304.84 m² per household (table 2-4). According to the on-the-spot investigations, house demolition involves non-residential houses, and most of them are production houses use for planting or breeding. These buildings are usually contracted or leased from the village by outsiders.

Table 2-4 Summary of Demolished Non-residential Buildings

Village	Name of property owner	AHs	APs	Area of HD (m ²)					
				Total	Masonry concrete	Masonry timber	Earth timber	Simple structure	Sundry room
Nanmushan	Collectives of Suwu	/	6	1620	48	624	38	910	
Nanmushan	Collectives of Puzai, Fengwu	/	5	20			20		
Nanmushan	Collectives of Dongba, Zhongba	/	1	245		245			
Nanmushan	Collectives of Hongying	/	1	105		105			
Nanmushan	Wu Zhitong	1	3	107.5		107.5			
Nanmushan	He Zhongze	1	3	1200				1200	
Nanmushan	Shen Hongkun	1	3	2400				2400	
Nanmushan	Yang Chaofu	1	3	2900				2850	50
Nanmushan	Ling Qinchang	1	5	780		780			
Nanmushan	Feng Fu	1	3	300	60	240			
Nanmushan	Zhao Conghui	1	3	750				630	120
Nanmushan	Zhao Lingfa	1	3	300				300	
Nanmushan	Shi Fasheng	1	2	450				450	
Nanmushan	Liang Xinheng	1	3	2580				2580	
Nanmushan	Wu Zhiquan	1	3	560				560	
Nanmushan	Gu Shimao	1	4	350				350	
Nanmushan	A Ge	1	3	150				150	
Nanmushan	Wu Fuquan	1	3	1050				1050	
Nanmushan	Wei Yuguan	1	4	4000				4000	
Nanmushan	Wang Xingneng	1	3	3000				3000	
Nanmushan	Collective Plant	/	8	3756	3756				
Total		16	72	26623.5	3864	2101.5	58	20430	170

Source: Land Acquisition and House Demolition Office of Dongxing City (March 2017).



Figure 2-2 Affected Non-residential structures

2.4.4 Affected Ground Attachments

Ground attachments involving 51 graves, 12 pumped wells, 8 regular wells, 3,617 m³ of pools, 200 m² of fishponds, 9,000 m of pipes, 252m² of building floors, 360 m² of enclosed walls, 356 banana trees, and 210 litchi trees will be affected (table 2-5).

Table 2-5 Affected Ground Attachments

Item	Proprietors	Unit	Qty.
Tomb	Nanmushan	/	51
Pumped well	Nanmushan	/	12
Regular well	Nanmushan	/	8
Pool	Nanmushan	m ³	3617
Fishpond	Nanmushan	m ²	200
Pipe	Nanmushan	m	9000
Floor	Nanmushan	m ²	252
Enclosed wall	Nanmushan	m ²	360
Banana tree	Nanmushan	/	356
Litchi tree	Nanmushan	/	210

Source: Land Acquisition and House Demolition Office of Dongxing City (March 2017).

2.5 Affected Population

2.5.1 Affected households and persons

, The project affects 1,611 households with 4,674 persons in total (table 2-6)

Table 2-6 Summary of Affected Households and Affected Person

Village	Permanent LA		Temporary Land occupation		Demolition of Non-residential properties ¹		Affected by LA & HD		Affected households & persons	
	AHs	APs	AHs	APs	AHs	APs	AHs	APs	AHs	APs
Nanmushan	1588	4564	12	38	16	72	16	72	1611	4674

Source: Land Acquisition and House Demolition Office of Dongxing City (March 2017).

2.5.2 Affected disadvantaged and Vulnerable Households

According to the preliminary investigations, the households affected by permanent LA, HD and temporary land occupation consist of 3 minimum living security (MLS) recipient households with 12 persons, 4 households with 10 persons with disabilities, 2 households with 2 seniors living alone, and 2 women-headed households with 5 persons (table 2-7).

Table 2-7 Affected Vulnerable Groups

Village Committee	MLS		Disability		Elderly living alone		Woman-headed		Total	
	HHs	persons	HHs	persons	HHs	persons	HHs	persons	HHs	persons
Nanmushan	3	12	4	10	2	2	2	5	11	29

Source: Land Acquisition and House Demolition Office of Dongxing City (March 2017).

2.6 Evaluation of the Land and Income Loss

The project involves a permanent acquisition of 743.63 *mu* of collective land. The affected village has 16,063 *mu* of land, of which 743.43 *mu* (4.6%) of the collective land will be expropriated. The lowest LA is in the affected village/group is the Xifeng group (3.66%), while the highest LA is in Suwu group (29.04%), and the average is 12.35%. The total loss rate of per capita income in Nanmushan Village is 1.16%. The lowest loss of per capita income is 0.89% in Xitou group, while the highest loss of per capita is 8.32% in Luowu group. The average loss of per capita is 3.18%. Thus, the loss of land and income is only a marginal component of their household incomes. Effective monetary compensation and livelihood restoration measures will help the APs recover and improve their income and living conditions in a timely manner. Table 2-8 gives an analysis of the loss of land and income of the affected villager groups in Nanmushan Village.

Table 2-8 Summary of Land Loss affected by Permanent Land Acquisition

Village Group &	Before the Project				Impact of Land Use by the Project				Percent of loss			
	Total HH	Total population	Total land area (<i>mu</i>)	Cultivated land (<i>mu</i>)	HH	Population	Total land area (<i>mu</i>)	Cultivated land (<i>mu</i>)	Percent of HHs (%)	Percent of population (%)	Percent of LA (%)	Loss rate of Per capita income (%)
Nanmushan as a whole	2578	7163	16063	4063	1588	4564	743.63	89.997	61.6	63.7	4.6	1.2
Shanghuang Group	54	239	335.11	216.2	54	239	17.531	1.545	100	100	5.2	1.3
Xiahuang Group	89	289	273.35	189.33	89	289	22.718	3.614	100	100	8.3	2.1
Xinqiao Group	174	397	421.67	299.56	174	397	45.214		100	100	10.7	2.7
Luofu Group	99	248	260.34	180.29	99	248	28.787	7.552	100	100	11.1	2.8
Xingle Group	159	427	433.7	311.41	159	427	43.215		100	100	10	2.5
Hongshigou Group	73	207	280.5	179.56	73	207	36.116	8.552	100	100	12.9	3.2
Jiaoying Group	110	290	356.6	213.44	110	290	30.076	3.564	100	100	8.4	2.1
Xitou Group	57	165	234.34	177.87	57	165	8.325		100	100	3.6	0.9
Chenwu Group	88	242	312.13	231.87	88	242	21.131	6.881	100	100	6.8	1.7
Hongying Group	35	139	189.35	130.52	35	139	33.856		100	100	17.9	4.5
Zhongba Group	29	78	132.7	89.3	29	78	9.689		100	100	7.3	1.8
Dongba Group	50	137	187.3	102.28	50	137	7.325		100	100	3.9	1
Luowu Group	60	170	189	109	60	170	62.87	4.56	100	100	33.3	8.3
Liwu Group	61	161	157.8	85.38	61	161	24.138	5.645	100	100	15.3	3.8
2 nd Dongtou Group	24	72	110.45	69.16	24	72	22.841	6.22	100	100	20.7	5.2
Changzheng Group	50	130	146.43	73.7	50	130	11.349	2.897	100	100	7.8	1.9
Xifeng Group	52	160	170.24	87.3	52	160	6.226		100	100	3.7	0.9

Dongfeng Group	98	326	259.11	157.66	98	326	17.881		100	100	6.9	1.7
Huangwu Group	56	172	190.5	94.3	56	172	36.459	8.114	100	100	19.1	4.8
Shuipojiang Group	38	124	143.7	89.02	38	124	31.004	4.882	100	100	21.6	5.4
Shanjiao Group	42	129	156.34	72.54	42	129	20.769	6.558	100	100	13.3	3.3
Suwu Group	52	139	167.9	73.62	52	139	48.761	12.541	100	100	29.0	7.3
Puzai Group	38	123	154.3	65.3	38	123	25.098	6.872	100	100	16.3	4.1

Source: Based on data of Land Acquisition and House Demolition Office of Dongxing City (March 2017).

Note : per capita loss rate = LA rate * rate of agricultural income in per capita income

3 Socioeconomic Profile of the Project Areas

3.1 Socioeconomic Profile of Dongxing

Dongxing City is located close to Mong Cai of Vietnam across the river; the city centers of the two are less than 3 km apart. At present, the two cities are linked through the Sino-Vietnam Bridge of Friendship. The two cities are a pair of relatively large-scale border cities with the shortest distance between the PRC and Vietnam. Dongxing is one of the important national ports in the PRC connecting Southeast Asia, especially Vietnam, in economic and trade transactions. It has been the main road passage to Vietnam and Southeast Asia from ancient times. Dongxing's Zhushan Port is only 130 nautical miles away from Ha Long City in Vietnam, and only 150 nautical miles from the Port of Haiphong.

Dongxing city governs 3 townships, 31 administrative villages and 10 communities with 39 km of land borderline, 50 km of coastline, and 590 km² of land area. In 2010, per the sixth national census, its resident population was 144,700 with over 150,000 migrants. The ethnic groups living here include Han, Jing, Zhuang, Yao and other nationalities. In 2012, the registered population of the city was 148,000, with a temporary and floating population of 150,000.

At the end of 2016, initial statistics showed that the City's GDP was 9.32 billion yuan, up by 10.3%; fiscal revenue 1.46 billion yuan, up by 6.7%; fixed assets investment 12.06 billion yuan, up by 8.5%; industrial output value compared with that of 2015. The total retail sales of social consumer goods was 2.49 billion yuan, up by 11.3%; foreign trade import and export volume US\$ 3.09 billion, up by 10.8%; per capita disposable income of urban residents 34,993 yuan; rural residents' per capita disposable income 14,960 yuan. Electricity use was 478.39 million kWh, up by 8.9%, and water consumption 13.029 million m³, up by 4.2% compared with that of 2015.

In 2016, the city's GDP reached 9.318 billion yuan, up by 10.3% over the previous year. From the perspective of industry, the primary industry output value was 1.722 billion yuan, an increase of 3.3%; the secondary industry output value 3.841 billion yuan, a growth of 14.1%; the tertiary industry output value 3.055 billion yuan, increasing 9.4%. The ratio of output value of the first, second and third industry is 18.92:39.47:35.13 respectively. According to the resident population, the city's per capita GDP reached 59,634 yuan, an increase of 10.43%.

In 2016, per capita disposable income of the residents of Dongxing City was 20,208 yuan, a year-on-year increase of 9.6%. Per capita disposable income of urban residents was 34,993 yuan, up by 7.5%; while that of rural residents was 14,960 yuan, up by 10% compared with that of 2015.

3.2 Socioeconomic Profile of the Affected Village

In March 2017, under the guidance of PMO and IA, Nanmushan Village carried out socio-economic surveys of the APs. The main aims of the survey were: (1) to compile socio-economic information of the APs who will lose land and property to the project; (2) to obtain information on how much the APs know about the project; and (3) to determine the choices of the APs in case of compensation for LA, HD and income restoration.

The survey covered 121 households affected by permanent land acquisition (94.2% households affected by permanent LA, including 5.3% of the households affected by the HD). The economic conditions of affected administrative villages are given in table 3-1.

Table 3-1 The Economic Status of the Affected Village

Indicator	Nanmushan
Total household	1588
Total population	4564
Female	2135
Total labor force (person)	3154
Industrial labor	254
Agricultural labor	1106

Labor of tertiary industry	1828
Total land area (<i>mu</i>)	16063
Total cultivated land (<i>mu</i>)	4063
#paddy field	847
#arid land	3216
Total forest land (<i>mu</i>)	8211
Total garden land (<i>mu</i>)	3789
Total fish pond (<i>mu</i>)	15
Total output value(0,000 yuan)	820
Agricultural output value(0,000 yuan)	326
Industrial output value(0,000 yuan)	136
Output value of tertiary industry(0,000 yuan)	327

Source: Nanmushan village committee (March 2017).

3.2.1 Demographic characteristics of APs

The demographic characteristics of the APs are listed in table 3-2.

3.2.1.1 Demographic structure: All APs are all the families and population under investigation in the affected administrative village are rural people and, including 47.6% of them are women. Total number of households affected is 492. The family population is 492. The labor force accounts for 56.9% of the total affected population. The population age under the survey shows that the population is generally normally distributed among various age categories, with most of the population fall into the category of aged between 20 and 50 which, accounting for 42.3%. Of the total; while the age group 51-60 accounts for 14.7%, and 60-70 years old group accounts for 12.2% of the total.

3.2.1.2. Education level: 33.7% of children have received primary school education; 25.2% of them were educated at junior high school, 15.9% at senior high school, and 10.8% at junior college and above.

3.2.1.3 Employment: 36.8% of the APs engaged in tertiary industry, 21.1% engaged in farming, 16.4% worked in enterprises and institutions, and they also worked outside the village during the spare time of agricultural production cycle. Women also worked outside the village on temporary basis, and some young people worked as seasonal workers in outstations. 25.7% of farmers also have worked as seasonal workers apart from their usual agricultural work.

Table 3-2 Demographic characteristics of APs

Indicator	Male		Female		Total	
	Population	%	Population	%	Population	%
Household: 121						
Population per household: 4						
Age						
≤6 years	27	10.47	25	10.68	52	10.57
7-19 years	32	12.40	33	14.10	65	13.21
20-35 years	41	15.89	45	19.23	86	17.48
36-50 years	65	25.19	57	24.36	122	24.80
51-60 years	37	14.34	35	14.96	72	14.63
61-70 years	32	12.40	28	11.97	60	12.20
≥71 years	24	9.30	11	4.70	35	7.11
Total	258	100	234	100	492	100
Composition						
Children (less than 7 years old)	29	11.24	27	11.54	56	11.38

Student	31	12.02	30	12.82	61	12.40
Labor force	143	55.43	137	58.55	280	56.91
Retiree*	55	21.32	40	17.09	95	19.31
Total	258	100	234	100	492	100
Education						
Illiteracy	34	13.18	37	15.81	71	14.43
Primary school	87	33.72	79	33.76	166	33.74
Junior high school	66	25.58	58	24.79	124	25.20
Senior high school & vocational school	41	15.89	37	15.81	78	15.85
Junior college and above	30	11.63	23	9.83	53	10.77
Total	258	100	234	100	492	100
Employment						
Agriculture and subsidiary business	31	21.68	28	20.44	59	21.07
Tertiary industry	54	37.76	49	35.77	103	36.79
Enterprises and institutions	22	15.38	24	17.52	46	16.43
Seasonal labor in nearby factories and enterprises	36	25.17	36	26.28	72	25.71
Total	143	100	137	100	280	100

Source: Socioeconomic survey by RP preparation team.

Note: Retiree: Women who is more than 55 years old; men more than 60 years old.

3.2.3 Status of the demolished houses

Demolition of houses affect production houses, management rooms for planting and breeding, guard houses and miscellaneous rooms. There are 26,623.5 m² of house area need to be demolished and cleared. (Table 3-3). The houses investigated are all in masonry timber structure.

Table 3-3 Building structure area and proportion

Building structure	Masonry concrete	Masonry timber	Earth timber	Simple structure	Sundry room
area (m ²)	3864	2101.5	58	20430	170
percent (%)	14.51	7.89	0.22	76.7	0.64

Source: Socioeconomic survey by RP preparation team.

3.2.3 Land use

The land area affected by the project is 743.63 mu of cultivated land. This affects 4,564 persons in 1,588 households. The land of this administrative village is mainly paddy field, woodland and arid land, with rice as the main crop. As a result of LA, the affected administrative village will lose 4.63% of its collective land and 1.2% of cultivated land.

3.2.4 Economic situation of APs

1) Household income

Annual per capita income in 2016 was 16,183 yuan. Agricultural income constituted 3,065 yuan (18.9%); wage income contributed 2,782 yuan (17.2%); business income 5,698 yuan (35.2%); employment income 3,635, (22.5%); government subsidy 95 yuan (0.6%), and other income 908 yuan (5.6%).

2) Household expenditure

Total per capita household expenditure in 2016 was 9,735 yuan of which the family business expenses was 2,665 yuan (27.4%); daily living expenses 4,234 yuan (43.5%), while other expenses were 2,836 yuan (29.1%).

The per capita net income of an affected household was 13,518 yuan, which is slightly higher than the average per capita income in Nanmushan Village.

Table 3-4 Income and expenditure structure of AFs

Item	Per HH (yuan/HH)	Per capita (yuan/person)	Proportion (%)	
Annual family income	Agricultural income	12443.9	3065	18.9
	Wage income	11294.9	2782	17.2
	Employment income	14758.1	3635	22.5
	Business income	23133.9	5698	35.2
	Government subsidy	385.7	95	0.6
	Other income	3686.48	908	5.6
	Subtotal	65703	16183	100
Annual family expenditure	Business expenses	10819.9	2665	27.4
	Daily living expenses	17190	4234	43.5
	Other	11514.2	2836	29.1
	Subtotal	39524.1	9735	100
per capita net income ¹		13518		

Source: Socioeconomic survey by RP preparation team.

3.2.5 Gender-based expectations for the resettlement

As the project will demolish some houses, the APs want a fair and reasonable compensation in a timely manner for their lost houses. In contrast, the respondents treat the LA problem very lightly because the cross-border trade development would bring them a better income. Thus they no longer want to engage in agricultural production, and are willing to have cash compensation for the acquired forest land and arid land to invest in cross-border trade and in other tertiary industry. They would use cash compensation to do small business, learn new skills through training, purchase vehicles to engage in transport business, and mechanical equipment for project construction, and for social security.

2,153 (46.1%) of all the APs are female, including the 1,360-female labor force. The number of women engaged in agricultural production and domestic work has also risen as more men went out on seasonal labor. Women earn 2.31% more than men working in agriculture and sideline operations. Thus, the impact of land loss on women is greater than that on men. Land acquisition, however, also gives women better job opportunities for non-agricultural production, which will reduce work intensity for women engaging in agricultural production and will enable them to gain more from the development of the tertiary industries. Therefore, women consented to transfer the land to the project. To achieve the transition from agricultural sector to the service sector, it is necessary that local government provide skill training for women which would help them acquire the knowledge and skills necessary for entrepreneurship or employment.

The gender analysis of the impacts of LAR is given in Table 3-5 below.

Table 3-5 Gender action plan for affected women

Gender issue	Concern /risk	Impact of the Project	Mitigation measures
1. Land, properties and right to compensation	Women are deprived of land or properties or have no right to compensation.	Men and women have equal rights to compensation for land acquisition, house demolition and resettlement; the Project will not have any significantly adverse impact on women.	(1) Cash compensation or improvement of the quality of remaining land, and crop restructuring
2. Production and income restoration after land acquisition	Women are affected even more seriously, and receive less assistance.	All AHs will lose only a portion of their household incomes. Compensation will be used at each house's discretion. Only seriously affected households have to change their income sources. In addition to cash compensation, the AHs will be assisted in restoring income through auxiliary measures (priority in employment during construction, skills training and subsequent support, etc.)	(1) Women will get compensation for the land acquired; (2) At least 50% of trainees of skills training will be women; (3) During the project construction, women will be given at least 30% of unskilled jobs
3. House demolition and reconstruction	Women have no right to make decisions or use compensation fees.	Women have title to houses, and house reconstruction is determined jointly by all family members, so women can participate in housing site selection, house construction and transitional housing arrangement, etc.	(2) Women have title to newly built houses.

¹Net income=annual household income—productive expenses

Gender issue	Concern /risk	Impact of the Project	Mitigation measures
4. Increase of gender inequalities	Women have a heavier burden or fewer opportunities.	The Project will not lead to gender inequalities and the impact of resettlement is not serious for most families. Land losses and sufficient compensation will help women change the cropping pattern (e.g., cultivating more cash crops), which will increase women's income and reduce heavy workload	Monitoring
5. Social network system	The social network is damaged.	The Project will improve social networks.	Better communication
6. Impact on health / increase of social problems	Serious health or social problems due to the stress of resettlement (violence, AIDS transmission, etc.)	The Project will not affect the village seriously. However, the project authorities will pay special attention to the vulnerable households to protect them from external harm and difficulties.	Providing mutual assistance assisted by the civil affairs department

4. Information Disclosure and Public Participation

During the preparation of FSR, PMO, IA and DI conducted various meetings to negotiate LA and compensation rates with relevant organizations, and representatives of rural community (RC), and offered opinions and suggestions on compensation and income restoration plan. During the implementation of the project, PMO, IA and RO will encourage local residents to participate in the process of LA, livelihood and income restoration programs.

4.1 Information Disclosure

4.1.1 Project Information Disclosure

During project preparation, Guangxi Development and Reform Commission (DRC) and local government distributed information about the project in a timely manner, as shown in the following pictures.



Figure 4-1 Guangxi RDC releasing relevant information

国家发展和改革委员会 防城港市人民政府 防城港市经济信息网 | 防城港市发展和改革委员会 | 加入收藏 | 设为首页

防城港市经济信息网

防城港市发展和改革委员会门户网站

[首页](#) | [政策法规](#) | [城市概况](#) | [组织机构](#) | [新闻中心](#) | [办事指南](#) | [重大项目](#) | [人事信息](#) | [规划计划](#) | [通知公告](#) | [公示专栏](#) | [经济情况](#) | [政务公开](#)

[工作动态](#) | [调查征集](#)

站内搜索:

首页 > 重大项目

关于东兴市长湖路东段工程项目建议书的批复

时间: 2017-04-10 来源:

东兴市发展和改革局:

报来《关于审批东兴市长湖路东段工程项目建议书的请示》(东发改报〔2017〕16号)及相关材料收悉,经研究,现批复如下:

一、为加快我市城市路网建设,促进东兴国家重点开发开放试验区的开发建设和城市发展,同意实施东兴市长湖路东段工程。

二、建设规模及主要建设内容:新建道路全长3703.616米,路宽62米。主要建设内容包括道路桥涵、排水、照明、绿化等工程及相关配套设施建设。

三、项目总投资及资金来源:项目估算总投资37656.249万元,建设资金由项目业主多渠道筹措解决。

请据此批复开展项目可行性研究工作。

防城港市发展和改革委员会
2017年4月10日

Figure 4-2 Relevant information released by local government

广西壮族自治区统一平台重点领域信息公开 东兴市

{ 征地拆迁信息 }

在征地征收补偿方案报批前要严格履行公告、告知、论证、听取意见等程序,进一步扩大社会公众对征地拆迁工作的参与,提高工作透明度,加强补偿信息公开,重点做好补偿方案、补偿标准、补偿结果等各个环节的信息公开工作。[展开]

当前位置:征地拆迁信息公开 > 补偿情况

[东兴市国土海洋局] 补偿情况链接	2017-03-27
[东兴市征地拆迁办公室] 2014年征地拆迁补偿情况	2015-01-26
[东兴市征地拆迁办公室] 东兴市人民政府关于印发东兴市征收农村集体土地养殖塘补偿标准暂.....	2014-08-22
[东兴市征地拆迁办公室] 东兴市人民政府关于印发东兴市农村房屋拆迁安置管理暂行办法的通.....	2014-08-22
[东兴市征地拆迁办公室] 东兴市人民政府关于印发东兴市征收集体土地执行统一年产值标准暂.....	2014-08-22

每页15条 共5条-第1页 首页 1 尾页 GO

Figure 4-3 Local government announcing the LAR policies of Dongxing city

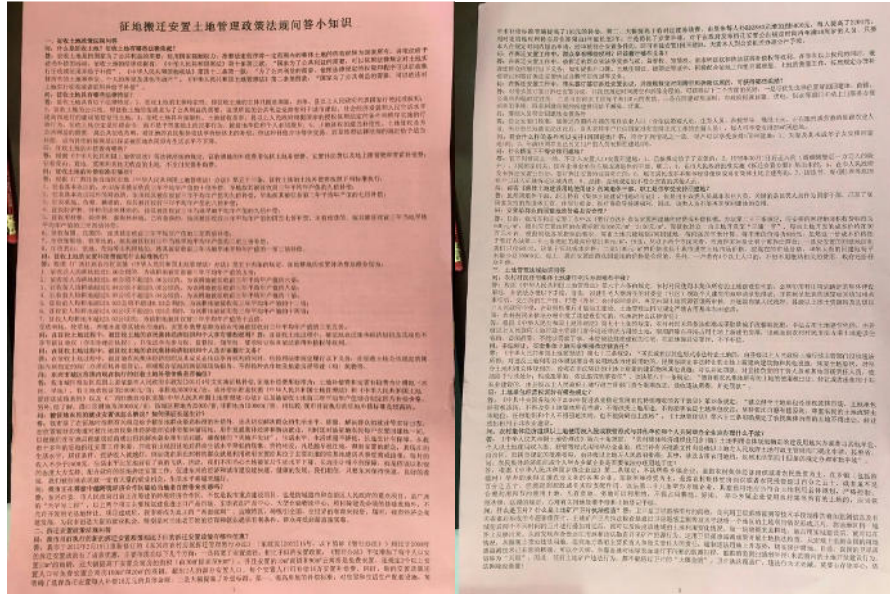


Figure 4-4 Promotion brochure made by the RO of Dongxing city

4.1.2 Disclosure of RP

The key contents of the draft RP have been fully discussed and negotiated with the affected villagers of Nanmushan Village in April 2017. Following ADB's review and approval of the RP report, DPMO will distribute it among the affected villagers. Meanwhile, the RP will be uploaded in IA website and the ADB's website.

Before the start of LAR, and the grant of the contracts for civil and constructional engineering, the project will update the RP in February 2018 based on the results of the detailed designs of the project and the results of a detailed physical survey of the impact on the APs. The final RP will then be submitted to ADB for review and approval. After ADB approves the updated RP report, it will be published again on the ADB website and released to the affected Nanmushan Villagers.

4.1.3 Resettlement Information Brochure (RIB)

To help the APs to have a better understanding of the policies of LAR as well as their rights, DPMO and IA (Dongxing Development and Investment Development Co., Ltd.) prepared a Resettlement Information Booklet (RIB). After ADB's review and approval of the RP, DPMO will send RIB to each AHs. The main content of the brochure is: ① Introduction to the project and its social and economic benefits (including objectives and location); ② Project impacts; ③ Laws and regulations concerning LAR; ④ Basic rights and due interests of APs; ⑤ Compensation standards; ⑥ Income restoration plan for the APs; (7) information on GRM; and (8) Implementation plan.

4.2 Public Participation during the Preparation of RP

During RP preparation, many departments and representatives of the APs participated in the following activities:

1. During the survey of LA and resettlement conducted in June 2016, relevant agencies responsible for LA and resettlement at all levels and resident representatives (including women) participated in the survey. Almost all representatives of AHs and women were present during the survey, and they carefully examined the indicators of the survey and contributed to analyse the data for the report.

2. In August 2016, PMO, IA and RO organized multiple meetings to interact with village cadres, representatives and APs. The meetings disclosed the existing national, provincial and municipal policies of land compensation and resettlement as well as ADB's *Safeguard Policy*

Statement (2009). Opinions and suggestions on reducing the project impacts, determining fair compensation, and formulating plans for resettlement and income restoration have been solicited from the participants. Through extensive consultations, all APs have agreed on cash compensation for their losses and material assistance to their resettlement in accordance with the national laws and regulations.

3. During the RP planning in March 2017, PMO, IA, DI and other relevant agencies visited the Residents Committee (RC) and residents of Nanmushan Village, and held meetings with the leaders and staff representatives to solicit their opinions on LAR, policies and standards of compensation, RP, and livelihood restoration measures. These consultation meetings turned out to be of a great benefit to determine resettlement issues, compensation policies, compensation rights and income restoration plans.

4. To raise the awareness of the project among the villagers and other stakeholders, PMO, IA and RP preparation team conducted a questionnaire survey in March 2017. Since the survey covers the affected administrative villages and households, it was highly representative.

5. The consultation seminar on the environment and RP was held in April 2017. It summarized the consent of the APs: they asked the Government to build the eastern section of Changhu Road as soon as possible, and demanded full cash compensation on time.



Figure 4-5 Consultants of resettlement in field survey and discussion



Figure 4-6 Consultants discussing compensation standard and LA with local government and villager groups

Table 4-1 Results of public consultation

Place	Time	Method	Number of participants	Important issues	
				Content of discussion	Proposals of APs
RC of Nanmushan Village	March, 2017	Resettlement Survey	40 (18 females)	General introduction to the project, its impacts and corresponding measures to reduce its negative influence	APs supported the project, considered the project impacts and the duration of such impacts acceptable and required fair compensation on time.
RC of Nanmushan Village	March-April, 2017	Consultation meeting	50 (24 females)	Compensation standards, rights and interests, RP and income restoration measures	APs agreed the compensation standards and recovery measures, and required that the local government should help develop the tertiary industry, offer job

					opportunities to APs first and provide them with trainings.
Dongxing Reform and Development Bureau	April, 2017	Group discussion	20 (8 famles)	Main content of the RP included: impact of LA and resettlement, laws and regulations, loss and compensation, rights and interests, RP, livelihood and income recovery plan, appeal procedure and time schedule.	Compensation should be paid in a timely manner. Local government should help develop the tertiary industry and establish a good procedure for handling appeals.
Total			110 (50 females)		

Source: Dongxing PMO.

4.3 Women's Participation

Women involved in the project will enjoy equal rights and interests with men. Women will play an important role in project planning, design and implementation. During the field survey, women accounted for at least 50% of the people who were responsible for the supply of information. At the same time, representatives of Dongxing Women's Federation were also invited to participate in the resettlement consultation meeting hosted by local government (at least 50% of the participants were women) to fully express the opinions of the local women on their behalf. In general, local women were concerned about the following issues: fair compensation standard and timely payment of compensation, the possibility for more government support, and preferential policies in LAR.

4.4 Public Participation during the Implementation of RP

To help the APs properly and promptly solve the difficulties and needs caused by LA and resettlement, public consultation will continue before the commencement of the project and RP so that all problems may be resolved. IA shall arrange meeting to address issues concerning LA and resettlement. Each AH will have the opportunity to negotiate their compensation contract with RO. Table 4-2 lists the plans and processes of public consultation.

Table 4-2 Plans and processes of public consultation

Meeting objective	Type of meeting	Time	Hosts	Targeted participants	Notes
1. Introduce the project and RP to the APs and solicit their opinions.	Meeting among villagers and group discussion of problems to be solved	February-March, 2017	PMO, EA, IA, DI, town government and RC	All APs.	The meeting was hosted in the Affected RC
2. Release RIB	RC meeting and discussion among the focused groups	May, 2017	PMO, EA, IA, town government, RC and Pingxiang LRB	All APs of the LA and RP	The meeting will release RIB, discuss focused concerns and welcome opinions of and suggestions on LA and RP from all parties.
3. Submit the final RP report to APs	RC meeting and discussion among the key groups	August, 2017	PMO, EA, IA, town government, and RC	All APs of the LA and RP	The meeting will submit the final draft of RP report to APs, discuss issues related to LA and RP and welcome opinions of and suggestions on such issues from all parties.
4. Conduct detailed measurement and survey	Field survey and AH visits.	October, 2017	PMO, EA, IA, town government, RC, and DLRB	All APs of the LA and RP	Survey of all physical indicators of LA and property will be conducted. Social and economic data will be collected.
5. Inform APs of their rights and interests and suggest a pay day.	Villager meeting	February, 2018	PMO, IA, town government, and RC	All beneficiaries and APs of the LA and RP	A meeting will be hosted to introduce the compensation and their rights and interests to all AFs.
6. Release detailed plan and updated RP	Villager meeting	December, 2017	PMO, IA and RO	All participants,	A meeting with the beneficiaries and APs

Meeting objective	Type of meeting	Time	Hosts	Targeted participants	Notes
report to APs before submitting them for ADB's review and approval.	and discussion among the key groups			beneficiaries and APs of the project	
7. Monitor APs and beneficiaries	Home interview	February, 2018-October, 2020	PMO, IA, town government, RC, DLRB and IMA	Random survey	To offer suggestions and update the monitoring plan of RP report

Source: Dongxing PMO.

To ensure the success of the implementation RP, APs are encouraged to participate actively in various activities of LAR. The project construction will have a certain impacts on the local residents. In order to make sure that the APs can benefit from the project, local residents are encouraged to actively participate in the construction of the project. It is essential to consider the local people and provide them with necessary assistance in terms of employment at the project sites.

4.5 Grievance Redress Mechanism

Since public participation is encouraged in the process of compiling and implementing the RP, huge controversy is unlikely to occur. However, there will be some unpredictable problems throughout the process. To solve them effectively and ensure a successful project construction and LA, the project has established a transparent and effective channel for complaint and appeal. The basic handling procedures are as follows:

Stage 1: If any right of any APs is infringed on in any aspect of LA and resettlement, they can report this to RC of Nanmushan Village and ask for consultation to solve the problem. After the RC receives the appeal, it shall document it and seek to solve it through negotiation with the APs within 2 weeks.

Stage 2: If the appellants are dissatisfied with the disposition made at stage 1, they can file an appeal to DPMO within one month after they receive the disposition. DPMO shall make a disposition on the appeal within two weeks.

Stage 3: If the APs are still dissatisfied with the disposition of DPMO, they can file an appeal to the People's Government of Dongxing within two weeks after receiving the feedback of stage 2 and the Government will reply to it within 3 weeks.

Stage 4: If the APs are still dissatisfied with the disposition of the Government of Dongxing, they can, after receiving the disposition, file an appeal to competent administrative authorities level by level in accordance with the Administrative Procedural Law of the PRC for arbitration or litigation.

At any stage, APs can file an action in a civil court in accordance with the Civil Procedure Law of the PRC.

Affected persons can decide to go through the legal system directly or may decide not to use project level grievance channels. An aggrieved person may also express grievance to the external monitor, who would then report to it to JPMO and agencies responsible for the project. Alternatively, the aggrieved person(s) may submit a complaint to the ADB project team to try to solve the problem. If good faith efforts are still unsuccessful, and if there are grievances that stemmed from a violation of ADB's safeguard policy, the affected persons may appeal directly to ADB in accordance with ADB's accountability mechanism².

All agencies will accept grievances and appeals from the APs without charging any fee. Reasonable cost of complainants will be paid from the project contingencies. The above appeal channels will be disclosed to the APs via the public meetings, RIB and mass media.

Handler of grievances and appeals in Dongxing Development and Investment Co., Ltd.: Mr. Zhang; Phone number: 0770-2282275.

²For detailed information: <http://www.adb.org/Accountability-Mechanism/default.asp>

5 Legal Framework and Policies

5.1 Laws, Regulations and Policies Applicable to LA and Resettlement

The People's Republic of China has established and implemented laws, regulations and procedures for addressing resettlement and compensation of infrastructure projects. The LAR compensation under this project will be carried out in accordance with the national laws, and regulations and policies of the local government, fully respecting the reasonable wishes and suggestions put forward by the APs, as well as complying with the Asian Development Bank's demands for resettlement, which were listed in its "Safeguard Policy Statement" (2009). The primary objective of the project is to ensure that the APs can have better lives, at least better than those before the project.

The LA, house demolition and resettlement will be carried out according to the following the Chinese laws and regulations as well as ADB policies and principles:

- (i) Decision of the State Council on Deepening the Reform and Rigidly Enforcing Land Administration (SC [2004] No.28) (October 21, 2004)
- (ii) Land Administration Law of the PRC (Amended in 2004)
- (iii) Regulations on the Implementation of the Land Administration Law of the PRC (December, 1998)
- (iv) "Notices of Ministry of Finance and Ministry of Land and Resources on the Adjustment of New Compensation for Construction Land Use" (CZ [2002] No. 93);
- (v) "Temporary Taxation Law of the People's Republic of China on Cultivated Land Requisition" (2008);
- (vi) "Measures for the Implementation of the Land Administration Law of the People's Republic of China in the Guangxi Zhuang Autonomous Region" (2001)
- (vii) "Measures of Guangxi Zhuang Autonomous Region for the Implementation of "the Management Regulations of Planned Construction of Villages and Town" (Guangxi Government Decree No. 15);
- (viii) "Notice on Releasing the Annual Output Standard and the Compensation Standard for Lands Expropriated in the Major Projects of Infrastructure Construction in Guangxi Zhuang Autonomous Region" (Guangxi RDC [2009] No. 52);
- (ix) "Guangxi Zhuang Autonomous Region's Measure on the Implementation of Arable Land Occupation Tax" (Guangxi Government [1987] 88 No. 59);
- (x) "Notes of The People's Government of Dongxing on the Issuance of Dongxing City's Temporary Standard for the Unified Annual Output Value of the Collective Land" (Dongxing Government [2011] No. 4);
- (xi) "Notes of The People's Government of Dongxing on the Issuance of Dongxing City's Management of Compensation for Rural Housing Demolition and Resettlement" (Dongxing Government [2012] 15);
- (xii) ADB's Safeguard Policies Statement (June, 2009)

5.2 Relevant Laws and Regulations of the PRC

The implementation of this Project complies with *the Land Administration Law of the PRC* (came into effect on January 1, 1999, and amended in 2004), *Decision of the State Council on Deepening the Reform and Rigidly Enforcing Land Management* (issued by the State Council in October 2004), *the Housing Demolition and Relocation Management Regulation of the PRC*

(issued in 2001), *Law of the People's Republic of China on Urban Real Estate Administration* (adopted on July 5th, 1994) and the relevant provisions of other laws and regulations.

5.2.1 Decision of the State Council on Deepening the Reform and Rigidly Enforcing Land Administration (No. 28 [2004] of the State Council)

Article 12 - Improve compensation measures for land acquisition. The local people's governments at or above the county level shall take concrete measures to guarantee that the living standard of the farmers is not reduced due to land acquisition, and ensure that the land compensation fee, resettlement fees, compensation for ground attachments and green crops shall be paid timely in full amount according to law. Where land compensation and resettlement fees are paid in accordance with existing laws, and it is still not enough for farmers to maintain their original living standard, an increase of resettlement fees shall be approved by the people's governments of provinces, autonomous regions and municipalities directly under the Central Government. Where the sum of land compensation and resettlement fees reaches the statutory upper limit, which is not sufficient to maintain the farmers' original living standard, they may be subsidized by the local people's government from the revenue of the paid use of the state-owned land. The people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall formulate and publicize a unified annual output value standards or a comprehensive land price for land acquisition in various cities and counties, and the compensation for land acquisition shall be the same for the same type of land. The state key construction project shall incorporate the land acquisition expenses in its budget. The standard of compensation fee for land acquisition due to the construction of large and medium-sized water conservancy and hydro-power project shall be stipulated separately by the State Council.

Article 13 - Proper resettlement of land-expropriated farmers (LEFs). The local people's governments at or above the county level shall formulate concrete measures to ensure the long-term livelihood of LEFs. For projects with stable income, farmers may be given shares through their land-use right of construction land according to law. In the urban planning area, the local people's governments shall incorporate the landless farmers due to land acquisition into the urban employment system and establish corresponding social security system for them. Outside the urban planning zone, the local people's governments shall leave the LEFs with necessary tillage lands or arrange corresponding jobs within their respective administrative areas, and shall resettle the landless farmers in another region who do not possess basic working ability. The Department of Labor and Social Security shall, together with relevant departments, put forward the guidance of establishing employment training and social security system for LEFs.

5.2.2 Land Administration Law of the PRC

The Land Administration Law of the PRC was first adopted at the 16th Meeting of the Standing Committee of the Sixth National People's Congress on June 25th, 1986, and then was revised at the 4th Meeting of the Standing Committee of the Ninth National People's Congress on August 29th, 1998. It was amended in accordance with the Decision on Revising the Land Administration Law of the People's Republic of China made by the Standing Committee of the Seventh National People's Congress at its 5th Meeting held on December 29, 1998.

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

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

The standards for land compensation and resettlement expenses for land expropriated shall be determined by various provinces, autonomous regions and municipalities in reference to the land compensation fees and resettlement costs for cultivated land expropriated.

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

In expropriating vegetable fields in suburban areas, the units using the land shall pay new vegetable field development and construction fund.

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

5.2.3 Measures of GZAR for the Implementation of the Land Administration Law of the PRC

Article 7 - The ownership of state-owned land and farmers' collective land shall be determined in accordance with the provisions of the Land Administration Law, the Implementation Provisions of the Land Administration Law and other relevant laws and regulations.

Article 8 - Land owned by farmer collectives that belongs lawfully to farmer collectives of a village shall be operated and managed by collective economic organizations of the village or by villagers' committees if the village collective economic organization is not sound; land already owned by different farmer collectives that belong to two or more different collective economic organizations in the village shall be operated and managed by the rural collective economic organizations in the village or by villagers' teams; land already owned by farmer collectives of a township (town) shall be operated and managed by rural collective economic organizations of the township (town) or the people's government of the township (town) if the rural collective economic organization is not well organized.

Article 21 - The following principles shall be observed in the preparation of the annual plan of land use:

(I) To strictly abide by the overall plan for the use of land, to control the total quantity of land use and to protect the cultivated land;

(II) To utilize land reasonably and effectively by supplying land and guiding the use of land;

(III) Priority of land use shall be given to the key construction projects. State and regional industrial policies should support such projects; and

(IV) To protect and improve ecological environment and the sustainable use of land resources.

Article 26 - Any unit that, with approval, uses cultivated land for construction of non-agricultural projects shall be responsible for reclaiming the same amount and quality of the cultivated land it uses in accordance with the following provisions.

(I) Within the scope of urban construction land determined by the general plan for land use, the city (with districts) or county (city) people's government shall be responsible for organizing the reclamation of cultivated land if the cultivated land is occupied for the implementation of urban planning;

(II) In the scope of the cultivated land used for the construction of villages or market towns as determined by the general plan for land use, the rural collective economic organization or the unit occupying the cultivated land organized by the people's government of the township (town) shall be responsible for reclamation; and

(III) If the cultivated land is occupied by the construction projects of energy, transportation, water conservancy, mines and military installations, which are outside the jurisdiction of the general plans for land use in cities, villages and market towns, the units occupying cultivated land shall be responsible for reclamation.

Article 27 - If conditions for such reclamation do not exist, the unit or individual that is approved to use cultivated land for construction of non-agricultural projects shall pay expenses for land reclamation.

Article 34 - In the course of production and construction, the land-use unit or individual shall be responsible for reclamation according to the relevant provisions of the State and GZAR, and the unit and individual concerned shall, within 30 days from the date of reclamation, apply for acceptance to the land administrative department of the people's government of the city (with districts) and county (city) where the land is located. Where there is no condition for land reclamation or the reclamation fails to meet the requirements, the land-use unit or individual shall pay the land reclamation fee of 20-80 yuan/m² to land administrative department of the people's government of the city (with districts) and county (city) where the land is located, and reclamations shall be organized by the land administrative department concerned.

Article 45 - Rural villagers must only have one housing site per family. By conforming to the overall plan for land use of townships (towns) and the reconstruction of old villages, villagers must make full use of old housing sites, empty land and hillside wasteland when building a new house, and the occupation of agricultural land must be strictly controlled. The area of newly approved house sites shall abide by the following standards:

- (I) The residential land area in the urban suburb of the plain area shall not exceed 100 m² per household; and
- (II) In the hilly and mountainous areas, the residential land area of each household shall not exceed 150 m².

5.3 Summary of ADB Policy on Involuntary Resettlement

In the *Safeguard Policy Statement* (SPS) (2009) of ADB and the F1 Section of Resettlement Operation Manual, three important factors of ADB's involuntary resettlement policy are defined: (1) to provide compensation and assistance for lost property, means of livelihood and income; (2) to assist the relocation, including the provision of locations with proper facilities and services for resettlement; (3) to assist the recovery of affected persons in order to keep their degree of live satisfaction is at least maintained at the prior-project level.

Some or all of these three items may appear in a project involving resettlement. In any ADB project operation that requires relocation and resettlement, resettlement planning is an integral part of the project design and should be addressed at the earliest stage of the project and take into account the following basic principles:

- (a) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- (b)
- (c) Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural systems of the affected persons while providing help to the local population in the resettlement area. If the impact and risk of the project's

involuntary resettlement is extremely complex and sensitive, a social preparation phase should be arranged before deciding on the compensation and resettlement program.

- (d) Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- (e) Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- (f) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- (g) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- (h) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- (i) Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- (j) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
- (k) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- (l) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- (m) Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

5.4 Differences Between PRC's regulatory Framework and ADB's Involuntary Resettlement Policy

After comparing the differences in policies between ADB and the PRC, Table 5-1 lists the significant differences in terms of the local laws and regulations, property certificate and the content and delay processing of information publication and consultation meetings.

Table 5-1: Differences between the PRC's Regulatory Framework and ADB's Involuntary Resettlement Safeguard Policy

Chinese Laws and Regulations	ADB's "Safeguard Policy Statement" (2009)	Differences	Strategies to eliminate differences
<p>The local people's governments at or above the county level shall ensure that the land compensation, resettlement cost, compensation for ground attachments and green crops shall be paid timely in full amount according to law. If the land compensation and resettlement fees paid in accordance with existing laws is still insufficient for LEFs to maintain their original living standard or to cover their social insurance, an increase of resettlement fees shall be approved by the provincial people's governments. Where the sum of land compensation and resettlement fees reaches the statutory upper limit, which is not sufficient to maintain the LEFs' original living standard, they may be subsidized by the local people's government with the revenue obtained by selling the state-owned land.</p>	<p>Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.</p>	<p>There are no differences, but China's laws, regulations and standards concerning resettlement compensation are formulated in a top-down decision-making process, in contrast, the ADB focuses on the bottom-up decision-making method based on community public consultation.</p>	<p>Local government and IA, in line with the ADB's "Safeguard Policy Statement", should attract APs and relevant stakeholders to participate in the preparation work like project design and resettlement plans, including consultation and determination of compensation standards and development of income and livelihood recovery plans. The local government and IA will adhere to the principles of transparency, consistency and equality in the implementation of the LA and resettlement plan.</p>
<p>China's laws and regulations explicitly stipulate that the demolition of illegal buildings or temporary ones with expired ownership certificate will not be compensated.</p>	<p>The ADB's "Safeguard Policy Statement" requires that land-lost persons without land ownership or any other recognizable land ownership are legally entitled to relocation assistance and non-land loss compensation. In rural areas, legal and affordable land and resources are provided to land-lost persons, while in urban areas, legal and affordable access to large enough houses should be provided to the land-lost persons.</p>	<p>According to China's current laws and regulations, there is no need to compensate for the demolition of buildings which violate relevant laws or regulations, or have no property certificate. However, these affected persons are entitled to relocation assistance, compensation for non-real estate losses and recovery measures in line with the ADB's "Safeguard Policy Statement".</p>	<p>All APs shall be protected and compensated in accordance with the ADB policies, whether or not they have a property certificate, the right to use the house, the land, or the right to lease.</p>
<p>No legislation on vulnerable groups</p>	<p>The ADB's policy pays special attention to the needs of vulnerable groups, especially those living below the poverty line, land-lost persons, the elderly, women, children, indigenous peoples, and those who have no legal rights to the land, and ensures that they can participate in consultations.</p>	<p>China's laws and regulations treat the all affected persons in the same way and no special consideration is given to vulnerable groups. However, the ADB's "Safeguard Policy Statement" gives special attention to vulnerable groups, including women.</p>	<p>The local government and project IA have incorporated issues related to vulnerable groups and gender equality in LA and resettlement plans. These issues will be included in the implementation of the resettlement plan, and the following preferential policies will be provided to the disadvantaged groups, such as compensation, minimum living security, free training, provision of social security programs, and access to micro-credit assisted by local government.</p>
<p>There are relevant provisions on advisory services in China's Land Administration Law</p>	<p>In line with the preparation requirements of the ADB resettlement plan, the affected persons should be informed and effective consultations shall be conducted with affected persons,</p>	<p>China's Land Administration Law contains relevant provisions on advisory services, but there are no specific provisions and procedures to support it. In practice, there is</p>	<p>To meet the public requirements of consultation and transparency, the local government and IA have consulted widely with APs and various stakeholders, in line</p>

	<p>settlement regions and NGOs . Let all affected persons be aware of their rights and resettlement programs. It is ensured that they are able to participate in the planning, implementation and monitoring of resettlement.</p>	<p>usually no consultation and disclosure of information before the resettlement plan is approved. Because the official information of LA and relocation has not been fully determined in the resettlement preparation period, moreover, the land user is not willing to inform the affected persons. However, according to ADB's "Safeguard Policy Statement", the affected persons should be informed and effective consultations shall be conducted with affected persons, settlement regions and NGOs; all affected persons shall be informed of their rights and resettlement programs; they are guaranteed to participate in the planning, implementation and monitoring of the resettlement.</p>	<p>with the ADB's policies, to inform them about the impact of their LA and resettlement plans, the compensation and the rights they enjoy in LA programs, and the complaint procedure, etc. Local government and IA will continue to ensure that APs are involved in the implementation of LA and resettlement.</p>
--	---	---	--

5.5 Compensation Standards and Principles of the Project

5.5.1 Definition of Compensation Qualification

The affected persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. All landowners, users and occupants who are affected by land acquisition and relocation within the scope of the project are entitled to fair compensation. Compensation shall be determined by types and amount of loss prior to the deadline set by the Dongxing City government. The cut-off date for the eligibility for compensation will be notified to all affected persons immediately after construction drawings and investigations are completed. Any newly planted land, new crops or trees, newly built houses post to the deadline determined by the government will not be compensated.

5.5.2 Compensation Principles of the Project

Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible. Measures shall be developed on the basis of transparency, coherence and fairness to ensure these affected persons are able to maintain the same or better income and living standards when the land acquisition is resolved through consultation.

5.5.3 Compensation Standard for Permanent Land Acquisition

According to the effected *Approval of the Dongxing Municipal People's Government on Issuing the Standards of Dongxing for Compensation and Resettlement for House Demolition during Collective Land Acquisition* (Political Documents of Dongxing, [2016] No. 129), compensation fees for collective land acquisition include land compensation, resettlement subsidies, compensation for young crops and ground attachments. The calculation of land compensation shall be conducted on the basis of highest multiple regulated in the *Measures of GZAR for the Implementation of the Land Administration Law of the PRC* and the average annual output value of land in Dongxing City three years prior to the project as the standard. The comprehensive compensation standard for some collective land areas in Dongxing City is shown in Table 5-2.

Table 5-2 Compensation Rates for Part of the Acquired Collective Land

Type of Land	Total Amount of Compensation (yuan/mu)	Recipients of compensation
Farmland (Paddy field, non-irrigated land)	28000	The AAOV is 1400 yuan/mu, the compensation multiple is 20. Equal distribution to all village members of the Affected village.
Non-cultivated Land (garden plot and forest land)	18000	

Source: Land Acquisition and House Demolition Office of Dongxing City (March 2017).

5.5.4 Compensation for Temporary Land Occupation

Calculation of compensation standard for the loss of young crops in temporary LA shall be conducted based on the average annual output value of the previous three years and will be paid directly to APs. The land restoration fees will be paid to the contractor to restore the land to its original state and quality. Detailed compensation standards are as shown in Table 5-3. It should be noted that, to restore the land to its original state, the land recovery compensation standards shall be higher than other local compensation standards taking into consideration of the complexity of local geographical conditions. Road construction will be completed by in a phased manner, which results in the temporary occupation of land lasting for one to three months, therefore a year of young crop compensation paid to the affected families shall be considered enough to make up for the loss. Land restoration costs are not included in the resettlement plan but are included in the project cost.

Table 5-3 Compensation Rates for Temporarily Occupied Farmland

No.	Land Type	Unit	Amount of Young Crop Compensation to APs	Recipients of compensation
1	farmland	mu	600	Owner of young crops
2	Forest land	mu	1200	
3	Garden land (average nursery garden)	mu	3000	

Source: Land Acquisition and House Demolition Office of Dongxing City (March 2017).

Note: The above-mentioned compensation of young crops will be given to the AFs.

5.5.5 Compensation for Demolition of Non-residential Properties

According to *Notice of Management Approach on Demolition Compensation and Resettlement of Rural Houses of Dongxing City Issued by Dongxing Municipal People's Government (Dongxing Political Document [2012], No.15)*, lost houses and other attachments shall be compensated according to standards shown in Table 5-4.

Compensation for residential buildings will be paid to the AHs and subsidy for temporary transitions shall be carried out by the standard of one-time payment of 5,000 yuan per person. APs agreed to relocate and surrender the houses to project team or conduct self-demolition within the prescribed period shall be granted with 150 yuan per square meter reward.

Table 5-4 Compensation Rates for Demolition of non-residential Properties on Collective Land in Dongxing City

	Item	Unit	Compensation rate (yuan)
Compensation rate for production and living facilities in rural areas	Reinforced concrete structure	yuan/m ²	250-330
	Wood and brick structure with fire-clay or stone bricks	yuan /m ²	200-250
	Wood and brick structure with mud brick or cement brick	yuan /m ²	150-200
	Water manure pool	yuan /m ²	120-140
	Walls with fire-clay or cement bricks	yuan /m ²	35-80
	Wood-planked building	yuan /m ²	45-60
	Bamboo-framed shed	yuan /m ²	35-45
	Reward for timely relocation	yuan /m ²	150
	Comprehensive subsidies for temporary transitions (relocation fees included)	yuan /person	5000

Source: Land Acquisition and House Demolition Office of Dongxing City (March 2017).

Note: buildings used for planting and breeding production and operation that should be relocate and rebuild shall be handle in the manner of resettlement prior to demolition, in order to avoid operating losses.

5.5.6 Demolition of Ground Attachment

All affected ground attachments will be compensated at the replacement price reflecting the existing value. Table 5-5 provides compensation standards for ground attachments.

Table 5-5 Compensation Standards for Ground Attachments

Well	meter	105-170
Motor-pumped well	one	1000-1700
tomb	one	2500
Water tank	Cubic meter	20
brickwork of fishpond	Cubic meter	20
Water pipe	meter	10
wall	Square meter	15
Hardy banana tree	one	20
Litchi tree	one	25
floor	Square meter	15

Source: Land Acquisition and House Demolition Office of Dongxing City (March 2017).

5.6Entitlement Matrix

Main impacts of LAR have been determined based on the nature of the losses identified during the property survey. The entitlement matrix provides a reference for the packages of compensation. The cut-of-data compensationeligibilitywas determined by the Government and

relevant departments of Dongxing, including the PMO, IA, DLRB, and the Town Government. The land that is occupied illegally after the deadline and the constructions deliberately built shortly before the deadline will not be compensated. Dongxing government, IA and DLRB will video record the premises to prevent the land from being occupied. Once the deadline is confirmed, Dongxing government will announce it in local newspapers and on the bulletin board of RC. The deadline is usually determined at the end of the detailed survey. Compensation for land losses will be made in the form of "cash", so are the compensations for house reconstruction and resettlement. The resettled families can also get subsidy for resettlement and allowances. In principle, LA is compensated in cash. Table 5-6 is the entitlement matrix. Compensation for the collective land of RC will be paid to the AHs.

Table 5-6 Eligibility for compensation, compensation rate and entitlement

Impact Type	Impact degree	People eligible for compensation	Policies and standards for compensation	Agencies in charge
Permanent LA (1588 rural families in 4564 rural residents)	The project will expropriate permanently 743.63 <i>mu</i> of collective land, including 89.997 <i>mu</i> of dry land, 359.015 <i>mu</i> of forest land and 294.618 <i>mu</i> of garden land.	Provide cash compensation to all families affected by permanent LA. Permanent LA covers dry land, forest land and site for construction. Compensation for LA includes land compensation and resettlement subsidy, which will be divided equally among all members of the AP groups. The compensation for young crops is paid directly to the owner.	The compensation rate for land loss to the APs: 28000 yuan / <i>mu</i> for dry land, paddy field; 18000 yuan / <i>mu</i> for forest and garden land. Compensation for young crops: 600 yuan / <i>mu</i> for arable land; 1,200 yuan / <i>mu</i> for forest land; 3000 yuan / <i>mu</i> for garden land (general nursery garden). All compensation will be paid to the APs based on the price they pay for the replacement. While providing cash compensation, Dongxing government will restore livelihoods of APs by carrying out skills training, introducing employment opportunities, supporting border trade, and developing social insurance and so on.	PMO, Dongxi Development and Investment Co., Ltd., Dongxing Town government, DLRB, RC of Nanmushan Village and RO
Temporary land occupation (12 AHs with 38 APs)	The project will occupy 35 <i>mu</i> of collective forest land temporarily.	The AHs will get compensation for green crops. The cost of re-cultivating the land will be paid to the project's contractor.	Compensation for young crops paid to the farmers who will lose their land: 600 yuan / <i>mu</i> for arable land; 1,200 yuan / <i>mu</i> for forest land; 3,000 yuan / <i>mu</i> for garden land. After the temporary land occupation, the contractor shall restore the land to its original condition and quality.	PMO, Dongxi Development and Investment Co., Ltd., DLRB and RO
Demolition and resettlement of non-residential constructions (16 rural families with 72 rural residents)	Total area of demolition: 26623.5m ²	Providing "cash" compensation to all APs and assisting the affected families / institutions to re-rent new land in the vicinity to resume production and operation. The deadline is decided by Dongxing government and relevant departments, including PMO, IA, DLRB and local governments. The land that is occupied illegally and temporary construction after the deadline shall not be compensated. Dongxing government, IA, and DLRB will video the land on the day of the deadline to prevent future inflows of people. Once the deadline is confirmed, Dongxing government will announce it in Dongxing Newspapers and the bulletin board of the RC. Cash remuneration and subsidy for adaptation will be offered to APs.	Cash compensation for the residential building to the APs includes the all material and labor costs for replacement, and the savings made in materials and depreciation will not be deducted from the compensation. Compensation standards: compensation standard for steel-concrete structure is 250-330 yuan / m ² and brick and wood structure 150-250 yuan / m ² . Families which can move within the specified time will be rewarded with 150 yuan / m ² and a resettlement subsidy of 5,000 yuan to each family member. While providing "cash" compensation, the local governments need to assist the affected families / institutions to re-rent new land in the vicinity to resume production and operation.	PMO, Dongxi Development and Investment Co., Ltd., Dongxing Town government, DLRB, RC of Nanmushan Village and RO
Ground attachments	51 tombs, 12 pumping wells, 8 wells, 3617 cubic meters of water pool, 200 square meters of fish pond masonry, 9000 meters of pipe, 252 square meters of floor, 360 square meters of wall, 356 banana trees and 210 lychee trees	All APs will receive compensations equal to their losses.	APs will receive cash compensation based on the following standards: 2500 yuan for one tomb; 105 yuan / meter for well; 1000 yuan for a pumping well; 20 yuan / cubic meter for water pool; 20 yuan / square meter for fish pond masonry; 10 yuan / meter for pipe; 15 yuan / square meter for floor; 20 yuan for one banana tree, 25 yuan for one lychee tree and 15 yuan / square meter for wall.	PMO, Dongxi Development and Investment Co., Ltd., Dongxing Town government, DLRB, RC of Nanmushan Village and RO

Impact Type	Impact degree	People eligible for compensation	Policies and standards for compensation	Agencies in charge
Appeal and complaints regarding LAR	Compensation standards, payment of compensation and measures of resettlement	All APs	The fees and management fees involved in the appeal of the APs for problems in LA and resettlement shall be exempted from payment. The reasonable expenses incurred shall be covered by the project's unforeseen expenses.	PMO, and Dongxi Development and Investment Co., Ltd.
vulnerable households	Including: the disabled, five-guarantee households, women-headed households, and MLS households and families which loses over 10% of their income	3 minimum living security (MLS) receipt households with 12 persons, 4 households with 10 persons with disabilities, 2 households with 2 seniors living alone, and 2 women-headed households with 5 persons	Offering vocational training to the labor force in the vulnerable families, and providing employment information and guidance to increase their employment opportunities with priority; During the project construction, priority should be given to recruit family members with working capacity of the vulnerable groups for some jobs that have few requirements for technology.	PMO, Dongxi Development and Investment Co., Ltd., Dongxing Town government, DLRB, RC of Nanmushan Village and RO

6. Resettlement Rehabilitation Programs

6.1 Object and Principles of Resettlement Plan

The overall objective of the resettlement project is to provide the APs with new opportunities for livelihoods and to help the labor force to settle down. This would improve production and livelihoods of the APs to a level not lowered than the pre-project level. The principles of resettlement and rehabilitation are as follows:

(1) Compensation includes: (i) cash compensation for land loss families; (ii) cash compensation and rebuild in the original construction site for families experienced house demolition.

(2) Proposed resettlement plan and livelihood restoration plan will provide the following arrangements: (i) provide employment and income opportunities in the implementation and operation stage of the project; (ii) prompt development of self-employed business in tertiary industries such as construction machinery and equipment rental, transportation, freight transport, maintenance, entertainment, catering, hotel services, and tourism; (iii) provide technical training to the APs to enhance their labor skills for higher employment possibilities offered by other units and enterprises.

(3) Carry out appropriate implementation of resettlement plans to comply with the relevant compensation policy to ensure production and living standards of the affected people can be improved, or at least be restored.

(4) The RP is prepared and implemented in accordance with the national land restoration policy, the national economic and social development plan. The needs and interests of the state, collectives and individuals will be considered equally.

(5) The APs are consulted on relevant issues relating to the development of resettlement plans and compensation rates.

(6) Women's rights and obligations are fully considered in resettlement and income restoration programs.

6.2 Resettlement and Income Restoration

6.2.1 Relocation and Resettlement Plans for Non-residential Houses

Because of the construction of the project, non-residential houses of 16 households of 51 APs will be demolished, with a total area of 26623.5 m². The affected housing will be compensated in accordance with the Dongxing Municipal Government's compensation standard for LA and demolition. Compensation will be paid to the affected households and units in cash. Ground attachments will be compensated at their replacement cost in cash. The local government will assist the APs to re-lease land in nearby areas for restoration, reconstruction and resettlement. Around the project area, there are lots of hilly land which can be re-leased by the AHs to continue their businesses. Their rental rates will be similar to that of the current rates.

The resettlement options for the affected households are summarized in Table 6-1. According to the latest survey, 100% of the 16 affected households and institutions decided to selected re-lease land in near areas for restoration, reconstruction and resettlement in the manner of 'cash compensation'.

Table 6-1 Resettlement Option Information of AHs

Total AHs	Restoration through re-lease of the land in the manner of cash compensation
16	16
100%	100%

Source: Land Acquisition and House Demolition Office of Dongxing City (March 2017).

To fully consider the needs and interests of the APs, the Dongxing Municipal Government has consulted and comprehensively accepted the views of the APs and has initially decided to provide new land for the re-leasing and rehabilitation of the affected households / institutions and to adopt the redevelopment and resettlement approach to ensure that their operations are not adversely affected. The demolition and relocation of residential houses will be compensated at the full replacement price as shown in Table 6-4, and the implementing units and the local government will help the APs to relocate. Comprehensive subsidy (including relocation fees) is provided to AHs at 5,000 yuan per person.

In addition to monetary compensation, the local government will assist the affected households or units to re-lease new land in nearby area for rehabilitation and restoration of business. Resettlement prior to demolition and relocation can ensure that no significant downtime or production suspension would be caused or no unemployment or wage losses to be resulted. If significant downtime or production suspension is caused in the process of implementation, PMO of Dongxing City will entrust a third party to conduct independent assessment of the losses, and corresponding compensation shall be paid based on the value assessment.

In the resettlement program, some preferential incentive measures and preferential policies will be adopted. For example, if the APs agree to relocate and surrender their houses or demolish them within the prescribed time, the reward will be 150 yuan / sq. m per household.

For the sake of safety, the demolition of houses will not be carried out by the APs themselves. Demolition will be carried out by units with demolition qualifications, but some materials such as doors and windows can be handled by APs themselves since they can get some money by selling the removed materials.

6.2.2 Restoration Programs for Collective Land Acquisition

The construction of the project requires permanent LA of 743.63 *mu* of collective land, affecting 33 production groups in one administrative village, 4,564 persons in 1,688 households. The acquired land will account for 4.63% of the total collective land; and an average 12.35% of the total land area of the affected production groups. Most of the acquired lands are forest land and garden land with relatively lower production output. The overall per capita income loss rate of Nanmushan Village is 1.16%, in which the West End production group has the lowest per capita income loss rate of 0.89% while the Luowu production group has the highest per capita income loss rate of 8.32%. The average per capita income loss rate of all production groups is 3.18%. It follows that the livelihood impact of the affected households is very limited since the per capita income of the affected households is 13,518 yuan and the local residents are no longer dependent on the land to survive. More and more residents are now gradually turning to cross-border trade and other service industries, working as migrant workers for businesses. Land redistribution will not be carried out after land acquisition. The levied land compensation will be paid to the affected households for the recovery of livelihoods. Specific standards of resettlement shall be determined in accordance with relevant laws and regulations.

The overall objective of the income restoration program is to ensure that all affected persons who have lost their livelihoods are able to maintain at least maintain their income level and standard of living at least to the pre-project levels. The income restoration plan covers 1,588 households affected by land acquisition.

Losing land and losing employment have affected not only the livelihoods of these affected households but also their future employment. The income restoration plan has considered all the affected persons of the project. 4,564 persons from the 1,588 households affected by permanent land acquisition need livelihoods and income restoration. According to the survey and consultations, the affected people do not want to engage in agricultural production and wish to receive employment opportunity and technical training from Dongxing City Government as well as assistance for their business.

The following income restoration measures will be adopted to increase the income level of APs :

(1) To provide employment skill training for those activities that require many workers from the local areas;

(2) To develop services and tertiary industries (such as construction machinery and equipment rental, transportation, catering services, urban transportation services, taxis, goods and catering and entertainment, hotels, tourism and services);

(3) To provide social and medical insurance; and

(4) To provide employment opportunities arising from the construction and operation of the project.

17.068 million yuan will be paid to the APs as compensation for land, resettlement subsidy and the compensation for young crops (residential site is not included) and the average amount for each household is 6,620.6 yuan. Affected persons can use the compensation to develop the tertiary industry. The APs can benefit significantly from the compensation that they received for land losses. According to the survey conducted by the APs, 100% of the APs are willing to use the land compensation as the starting capital to develop cross-border trade and other industries. Women are more suitable for such employment and income-generating opportunities. In fact, women account for about 46.1% of the labor force, and they will enjoy the same income as men from the redevelopment program. After the APs receive compensation, they will engage in tertiary trade such as cross-border trade which is more suitable for women to engage than men.

In the long run, with the development of transportation and facilitation for cross-border trade, the Project will trigger the development of local economy and increase the income of local villagers. According to the interviews and surveys, all APs want to make full use of preferential policies³ for cross-border trade. A vigorous development of cross-border trade is one of the major industry development directions of Nanmushan village.

Haina Border Trade and Cooperative Association (Group) of Nanmushan Village of Dongxing City was established on 24th, Sept. of 2015 with a registered capital of 2.06 million yuan. It is a professional trade association and group that specializes in procurement, processing, transportation, storage, sales, and other business operations. With 158 original registered members, the Cooperative Association takes landless villagers of Nanmushan Village as the main body and operation with the guidance of the village committee. The Trade and Cooperative Association follows the principle of voluntary registration, and serves its members by seeking common good for all members. With democratic management, the Association determines to realize self-financing and stick to the principle of "voluntary registration and free exit". Agenda of the Association stipulated that "by the end of each year, 60% of the total profits shall be used as dividends for members and 20% for development funds and 20% as the management fees." Operated from September 2015, the association has more than 400 members participated in cross-border trades in batches, with the participants to exceed 2,000 persons by the end of 2017. Haina Border Trade and Cooperative Association of Nanmushan Village of Dongxing City has signed an agreement with Dongxing Sifeng Sea Food Industrial Co., Ltd for a monthly transactions amount to 12 million yuans with a total surplus of about 225,000 yuan. Monthly income of members is about 1,400 yuan per capita. In the LA of this project, new landless villagers are encouraged to join the Association as part of the larger-scale cross-border trade teams and increase their income levels.

In terms of compensation for temporary land occupation for project construction, compensation for young crops will be paid directly to the affected people by cash, and the land reclamation fee will be paid to the project contractor. After the completion of the project, the temporarily occupied land will be restored to their previous condition and quality. Project construction will bring 30 short-term employment each year. Within 24 months of the construction period of the road, employment opportunities will firstly be given to the APs, who

³Article 5 of *the Measures for the Administration of the Barter Trade between Border Residents* (effected in 2010) stipulates that: "The daily necessities of less than 8,000 yuan per person imported by the border residents through the barter trade (except for the non-duty-free list of goods in barter trade) shall be exempt from import duties and import-related tariff, while those duties shall be levied on commodities with a value of more than 8,000 yuan"

will receive a monthly income of more than 2,000 yuan. Compared with the loss of 100 yuan per person per year caused by temporary occupancy, the affected person will receive at least an additional income of 24,000 yuan per person during the construction period. As a result, temporary income losses will be compensated by temporary employment incomes.

6.2.3 Employment Opportunities Provided by the Project

The implementation of the construction project of Changhu Road East section of Dongxing City will produce some employment opportunities and the priority will be given in recruitment to the affected labor force. The first phase of the Dongxing China-Vietnam Border Economic Cooperation Connectivity Construction will promote Sino-Vietnamese border trade. The implementation of the project will bring employment opportunities to the local people. Job opportunities will prioritize the affected farm workers. Opportunities might include the needs for workers in construction sites or refurbishment project in the construction of houses and roads; the needs for security guards, potters and construction workers in the road construction, the needs for workers in the material transportation, gravel mining, machinery rental and maintenance in road constructions. It's estimated that 200 temporary jobs and 10 permanent jobs will be created during the project implementation and Operation & Maintenance stages. The above-mentioned opportunities will benefit the APs and compensate for the loss caused by LAR.

6.2.4 Social Insurance Program

In addition to the proposed method of income restoration, to ensure that the livelihoods of relocated farmers are secured, the Government of Dongxing City will provide pension, medical care, employment and other social security measures for the APs in accordance to national legal provisions. Trial Measures of GZAR for Social Security for Land-expropriated Farmers started in March 2008 has made clear provisions for pension, medical care and minimum living security. In social insurance funds, local government will subsidize 30% of the fund and the remaining 70% will be paid by the individual and collective community (in which the APs will pay 20% of the 40% of the annual salary of urban workers).

Individuals, the collective group and the government contribute to the pension scheme. The proportion of individuals and the collective consist of 70%, while the government subsidizes the remaining 30%. The part of the individual undertaking is mainly paid off from the land acquisition and resettlement subsidy. The part of the collective contribution is mainly paid off from the land compensation fee. The government contribution is mainly arranged from the transfer of state-owned land use right. Farmers affected by LA registered in the pension scheme will receive monthly pensions when they turn 60 if they pay the pension contributions in accordance with the provisions of the obligation.

According to the social and resettlement surveys, most APs are willing to participate in social security programs. During the implementation of the resettlement plan, the social security contributions and pension receipts of the APs will be recalculated by social security agencies according to the specific cases.

In terms of health insurance, all rural APs will be covered by local health insurance systems which are registered at the New Rural Cooperative Medical System in accordance with the management principle of local department. In addition, according to the principle of territorial management, APs qualify for minimum living conditions of urban residents or minimum living conditions of the impoverished in rural areas shall be covered by the minimum living allowance for the impoverished in rural areas as regulated.

6.2.5 Income Opportunities Provided by the Project

The APs can earn more income by providing services for the project during its construction phase. For example, the APs may provide surplus houses (if any) for the construction contractors as offices or accommodation for construction workers; or open grocery stands to provide food, cigarettes, beers and beverages to the engineering team. The PMO and its implementation units will provide 200 person / year temporary jobs during the construction period, especially gravel mining, and transportation of building materials and sand.

6.2.6 Provide Government Welfare Positions

The affected farmers aged 40-50 may find it difficult to find new employment. The Government will provide welfare assistance by appointing them to positions such as cleaners or doorkeepers. In the monthly salary of 1,600 Yuan, 800 Yuan will be paid via national special funds and 800 Yuan paid by the employer. Social insurance and housing fund will be provided to those 300 persons who are recruited annually. Survey results indicated that this practice is highly welcome by the APs who encounter difficulties in re-employment.

6.2.7 Skill Training of the APs

Dongxing City has enjoyed rapid economic development in recent years. With the progress of Dongxing-MongGai Cross-border Economic Cooperation Zone construction, Dongxing City will generate a great number of jobs, especially the tertiary industries that will have a greater demand of labor force.

To create a self-reliant, self-development environment for the APs and restore or improve their living standards in a short period of time, the demolition and resettlement offices of Dongxing will provide technical trainings for APs within their respective jurisdiction by coordinating with municipal labor and social security department, financial department, education department, technology department and women's federations and other departments from other districts. Technical and management skill training shall take the practical and effective principle as the basis and carried out in accordance with the economic restructuring, labor market changes and employment requirements in a targeted manner. Technical training shall be taken as an effective action to restore and increase the income of the affected persons.

Many affected households lack the necessary working skills, especially their women. This critical factor is taken into consideration when employment strategies are formed. Technical training for men and women is the priority. In each session of technical training, more than half of the participants will be women. With working skills, APs may find employment in nearby areas. Each AP shall have at least one training opportunity in his or her selected industry. Both men and women shall enjoy the same training budget.

Technical training will be carried out every six months from February 2018 to June 2020. Dongxing government, neighborhood committees, women's federation and vocational and technical education department will jointly organize and implement the trainings, which will be provided to all APs, especially to those who are directly affected. Each training session shall ensure half of the participants are women. The training might cover the following areas:

- Sanitary works, public environmental greening, parking management and other community public service job training;
- horticultural technology, sewing and weaving training for women, hairdressing and beauty skills training;
- maintenance skills training for motorcycle, car, electrical equipment;
- automobile decoration, cleaning equipment management training;
- catering service, domestic service training;
- Product marketing, border trade registration and business training.

6.2.8 Restoration Plan for Ground Attachments

The affected ground attachments will be compensated in accordance with the related compensation standards set by the Municipal People's Government of Dongxing City while the infrastructure and other special facilities will be compensated under the principle of replacement value. Compensation for private ground attachment shall be paid to its proprietor.

Restoration shall be carried out by respective proprietors and they will plan how to restore demolished facilities suitable for local conditions and safe and efficient. Such restoration work will have minimum adverse impact on nearby residents during construction.

Affected special facilities will be demolished according to the construction drawings without affecting project construction and with minimum amount of relocation. Affected utility pipelines/wires will be rebuilt before demolition (or relocated) without affecting regular lives of residents along such pipelines (including those not to be relocated).

6.2.9 Issues of Special Focus in the Resettlement Process

(1) Gender Issues

It is clearly stated in the Chapter of “Women and Economy” of the *GZAR Women Development Plan (2001-2010)* that “to protect the equal rights and opportunities of women in their access of economic resources, we must eliminate gender discrimination in employment, ensure equal employment for women and men and protect women’s labor rights”. Therefore, women and men shall enjoy equal rights in employment and training.

Survey results show that women in the affected households are generally short of labor skills other than house works, which put them at a disadvantage when competing with men in landing new jobs. They usually decide to go out to work or run a small business. In some households with women as the householder, women share even greater family responsibilities. Future welfare undertakings are especially important for women. Compensation and vocational skills training adopted in the resettlement plan are therefore required to pay attention to these women’s special needs to reduce social risks such families may face due to the implementation of the project.

Women are also entitled to receive all compensation payments, training programs and other assistance. All compensation for LA are joint property of the households. To protect women’s right in the determination of properties of APs, the names of both the husband and wife shall be stated in relevant documents.

Agreement has been reached between the government, related implementing institutes, the women’s federation and neighborhood committees that the women’s federation will be directly involved in guiding and counseling works related to the income recovery in the way of public participation. Combination of this work and the current project would ensure women’s living standards and production would be improved after the demolition of their houses.

(2) Assistance and Support for Vulnerable APs

29 persons from 11 AHs were identified as vulnerable groups. During the whole relocation process, PMO, BDIG and local government will pay attention to the resettlement of vulnerable groups. In addition to the living and production resettlement measures under RP, vulnerable groups will be provided certain assistance to improve their living and production conditions. The resettlement budget includes a special fund of 99,600 Yuan for vulnerable groups. The main assistance measures for new vulnerable groups determined during the process are as follows:

1) Two members of each household will receive skills training, including at least one woman;

2) APs without the ability to work will be included in the social security system and paid pensions by the local government.

3) The government and proprietors of the project will provide hardship allowance and living subsidies for vulnerable households to help them restore production and livelihoods

4) In case of women-headed households, the community committee and project owner will focus on the protection of women’s rights and interests in LA and HD, and give priority to them in compensation payment and distribution, employment support, training, social security and subsidy application.

5) Households affected seriously by LA will have priority in receiving job opportunities generated by the Project, and participating in agricultural and nonagricultural training for LEFs.

7. Resettlement Budget

7.1 Compensation and Resettlement Budget

The cost of resettlement is included in the overall project budget. The total cost of the project is estimated to be 47.248 million Yuan, which includes 10% of contingencies fees (reserve funds for materials and price increases). Estimated costs include compensation for land, compensation for demolition of private houses and ground attachments, compensation for infrastructure and special facilities, fees for miscellaneous and contingencies. The detailed information of resettlement budget is given in table7-1.

Table 7-1 Resettlement Budget Sheet

No.	Item	Unit	Compensation rate (yuan/unit)	Qty.	Budget Amount(ten thousand yuan)	Percent (%)	
1	Basic resettlement costs				2644.8	55.98%	
1.1	Permanent compensation fees for LA				1565.4	33.13%	
1.1.1	Collective farmland (cultivated)	mu	28000	89.997	252.0	5.33%	
1.1.2	Collective farmland (forest land)	mu	18000	359.015	646.2	13.68%	
1.1.3	Collective farmland (orchard)	mu	18000	294.618	530.3	11.22%	
1.1.4	Young crop	Cultivated farmland	mu	600	89.997	5.4	0.11%
		Forest land	mu	1200	359.015	43.1	0.91%
		garden	mu	3000	294.618	88.4	1.87%
1.2	compensation for Demolition of non-residential properties				325.9	6.90%	
1.2.1	brick-concrete-structured	yuan/m ²	350	108	3.8	0.08%	
1.2.2	Brick-wood-structured	yuan/m ²	250	985	24.6	0.52%	
1.2.3	Earth-wood-structured	yuan/m ²	200	96	1.9	0.04%	
1.2.4	Simple frame	yuan/m ²	60	21540	129.2	2.74%	
1.2.5	Dopant house	Yuan /m ²	45	1160	5.2	0.11%	
1.2.6	plant	yuan/m ²	350	3756	131.5	2.78%	
1.2.7	compensation for suspend production and business operation(10% of the estimated direct demolition compensation fees)	To be determined through negotiation			29.6	0.63%	
1.3	reward for timely relocation	yuan/m²	150	37645	564.7	11.95%	
1.4	Comprehensive subsidies and temporary transition fees	yuan-pe rson	5000	72	36.0	0.76%	
1.5	Compensation fees for infrastructure ground attachments				148.7	3.15%	
1.5.1	well	meter	170	114	1.9	0.04%	
1.5.2	Motor-pumped well	one	1700	14	2.4	0.05%	
1.5.3	tomb	one	2500	516	129.0	2.73%	
1.5.4	Water tanks	Cubic meter	20	1811	3.6	0.08%	
1.5.5	Brickwork of fishpond	Cubic meter	20	200	0.4	0.01%	
1.5.6	Water pipe	meter	10	9200	9.2	0.19%	
1.5.7	wall	Square meter	15	360	0.5	0.01%	
1.5.8	Hardy banana tree	one	20	356	0.7	0.02%	
1.5.9	Litchi tree	one	25	210	0.5	0.01%	
1.5.10	floor	Square meter	15	252	0.4	0.01%	
1.6	Compensation fees for temporary land occupation	yuan/m u	1200	35	4.2	0.09%	
2	Support fund for vulnerable groups (1% of basic costs)				26.4	0.56%	
3	Resettlement planning and monitoring costs (2% of basic costs)				52.9	1.12%	
4	Training costs (0.5% of basic costs)				13.2	0.28%	
5	Taxes and fees on LA				1030.7	21.82%	

No.	Item	Unit	Compensation rate (yuan/unit)	Qty.	Budget Amount(ten thousand yuan)	Percent (%)
5.1	Fees for compensated use of new construction land	mu	9333.38	741.63	692.2	14.65%
5.2	Farmland occupation tax	mu	17333.42	89.997	156.0	3.30%
5.3	fees for reclamation of farmland	mu	12054	89.997	108.5	2.30%
5.4	LA management costs (2.8% of LA costs)	\			74.1	1.57%
6	Contingencies (10% of basic costs)		/	/	264.5	5.60%
7	Total				4724.8	100.00%

7.2 Annual Budget

According to the project timetable, the construction of the project will last for 20 months, starts from May of 2018 to December of 2019. Annual capital flow is expected to reach 80% in 2018 or 37,798,400 yuan and 20% by the year of 2019 or 9.4496 million yuan (table 7-2).

Table 7-2 Resettlement Annual Cost Budget in Road Access (ten thousand yuan)

	2018	2019	Total
Total Budget (0,000 yuan)	3779.84	944.96	4724.8
Total Budget Ratio (%)	80%	20%	100%

7.3 Disbursement of Resettlement Funds

Resettlement funds will be disbursed as follows:

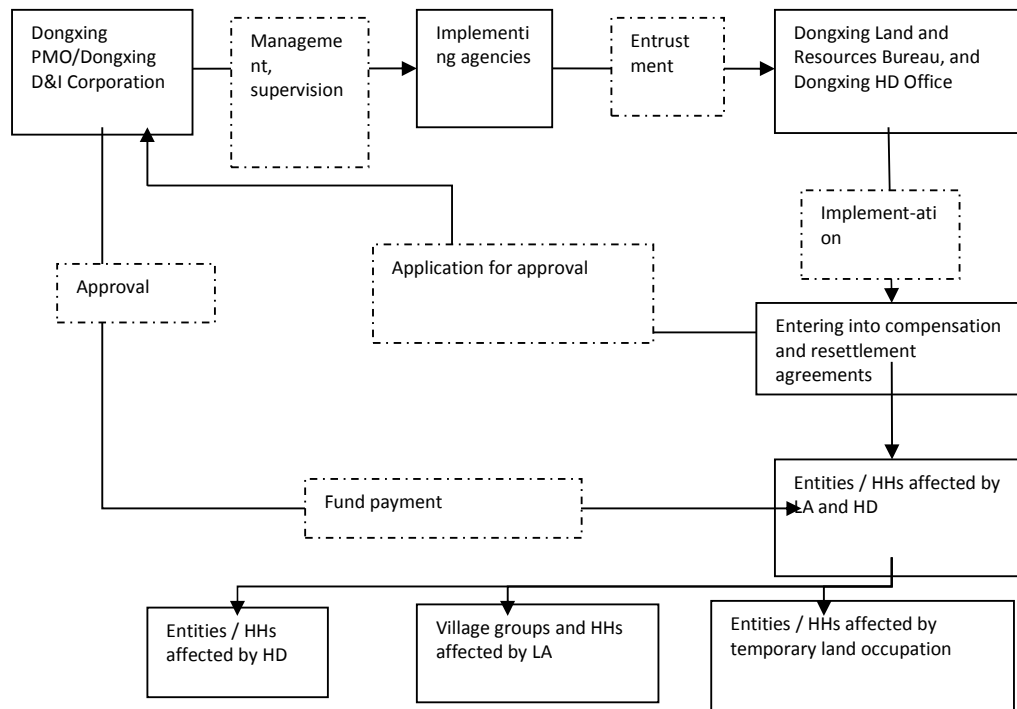


Figure 7-3 Disbursement Flowchart of Resettlement Fund

8 Implementation of RP

8.1 Principles of RP

According to the implementation schedule of the Project, the Project will be constructed over a period of 3 years from May 2018. To ensure that the resettlement schedule can be linked with the construction schedule of the Project, LA will begin in March 2018 and be completed in July 2021. The basic principles for resettlement implementation are as follows:

- LA and HD should be completed at least 1 months prior to the commencement of construction, and the starting time will be determined as necessary for LA, HD and resettlement.
- During resettlement, the APs shall have opportunities to participate in the Project. Before the commencement of construction, the range of LA will be disclosed, RIB distributed, and public participation activities conducted properly.
- All compensation fees will be paid to the affected proprietors directly and fully within 3 months of approval of the compensation and resettlement program. No entity or individual should use such compensation fees on their behalf, nor should such compensation fees be discounted for any reason.

8.2 Resettlement Implementation Schedule

The resettlement schedule has been drafted based on the anticipated progress of the Project. The implementation schedule may be adjusted if there are any major deviations from the overall project progress (See Table 8-1).

Table 8-1 Schedule of Land Acquisition and Resettlement Activities

No.	Resettlement	Task	Agency responsible	Time	Remark
1	Information disclosure				
1.1	Disclosure of the draft RP	1,611 AHs	PMO and Dongxing Investment and Development Corporation	July, 2017	
1.2	Disclosure of the RP on ADB's website		ADB, PMO and Dongxing Investment and Development Corporation	July, 2017	
2	RP and Budget				
2.1	Approval of updated RP	/	Municipal Government of Dongxing, ADB	Feb. 2018	
2.2	RP and budget approval (compensation rates included)	47.248 million yuan	Municipal Government of Dongxing, Dongxing Investment and Development Corporation	Feb. 2018	
3	Release LA and Demolition Notice				
3.1	Disclosure of LA to APs	Nanmushan Village	PMO, Municipal Government of Dongxing, Dongxing Investment and Development Corporation	Mar. 2018	
4	Compensation Agreement				
4.1	Village-level land compensation agreement	28 AHs	Bureau of Land Resources of Dongxing, RO	Apr. 2018	
5	Capacity Building of Resettlement Agencies				
5.1	Staff of RP office and land & resources bureau	10 persons	PMO of Dongxing of ADB	May. 2017 to Dec. 2018	
6	M&E				
6.1	Baseline survey	As per the RP	External M&E agency	Mar. 2018	Included in the 1 st report
6.2	Establishing an internal M&E agency	As per the RP	PMO and Dongxing Investment and Development Corporation	Mar. 2018	
6.3	Appointing an external monitoring agency	one	PMO	Feb. 2018	
6.4	External M&E agency	Semiannual report	External M&E agency	July. 2018	1 st report
				Jan. 2019	2 nd report
6.5	External monitoring reporting	Annual report	External M&E agency	Jan. 2020 Jan. 2021	3 rd report 4 th report
6.6	Project Completion report (including LAR)	One report	PMO and Dongxing Investment and Development Corporation	July. 2021	
7	Public consultation		PMO and Resettlement Office of PMO	Ongoing	
8	Grievance redress		PMO and Resettlement Office of PMO	Ongoing	

No.	Resettlement	Task	Agency responsible	Time	Remark
9	Disbursement of Compensation Fees				
9.1	Disbursement to the IA	Initial funds	Dongxing Municipal Government, PMO and Resettlement Office of PMO	Mar. 2018	
9.2	Disbursement to the Nanmushan Village	Most funds	PMO and Resettlement Office of PMO	Apr. 2018	
9.3	Disbursement to AHs (Bank account)	Most funds	PMO and RO of PMO and Village Committee	Apr. 2018	
10	Commencement of Civil Construction				
11.1	Commencement of civil construction		PMO and Dongxing Investment and Development Corporation	May. 2018	

9. Resettlement Organizational Structure and Capacity Building

9.1 Organizational Setup of Resettlement Agencies of the Project

Dongxing Municipal Government sets up a Dongxing project leading group (PLG) and a project management office (PMO). As mentioned above, Dongxing Investment and Development Corporation serves as the implementation agency (IA) of the project. Under IA, there is a resettlement department, which is responsible for land acquisition and resettlement. Figure 9-1 demonstrates the structure of the organization.

IA plays a key role in the resettlement process, but in addition to the implementing agency, there are other relevant departments involved in the resettlement work. Table 9-1 lists all of these agencies and personnel.

Table 9-1 Resettlement Agencies and Personnel

Agencies	Personnel
Project Leading Group	Experienced, governmental officials, 15 persons with Bachelor or higher degree
PMO of Dongxing	Experienced, governmental officials, engineers, 5 persons with Bachelor or higher degree
LRB of Dongxing	Experienced, governmental officials, 10 persons with Bachelor or higher degree
Municipal Government of Dongxing Township	Experienced, governmental officials, 6 persons with Bachelor or higher degree
Dongxing City Construction and Investment Inc. /RA	Construction and management personnel, 3 persons with Bachelor or higher degree
Dongxing Resettlement Office of PMO	Experienced, governmental officials, and representatives of APs, 6 persons with Bachelor or higher degree
Village Committee	Village Cadres 2 persons
Design Institute	several senior engineers
External Monitoring Agency	several resettlement experts

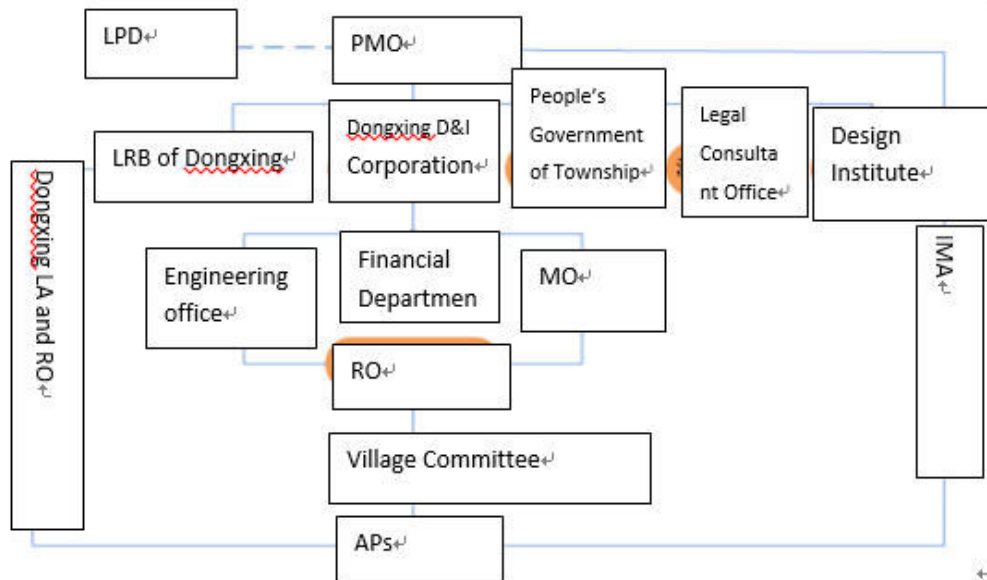


Figure 9-1 Resettlement agencies and personnel

9.2 Responsibilities of Resettlement Agencies

Table 9-2 Responsible Agencies

Agency	Responsibilities
DongxingProject Leading Group	<ol style="list-style-type: none"> 1. responsible for leadership, organization, collaboration and principle development of the project; 2. Review the implementation of RP; 3. Conduct internal M&E and review; 4. Determine major issues in land acquisition and resettlement.

Agency	Responsibilities
DognxingPMO	<ol style="list-style-type: none"> 1. Project coordination and organization of work; 2. Preparation and implementation of land acquisition and resettlement plan; 3. Assistance to women in compensation payment and in finding employment; 5. Liaise with ADB, implementing agency, and other shareholders.
Dongxing Development and Investment Inc.-implementation agency	<ol style="list-style-type: none"> 1. Obtain approval from the Land and Resources Bureau for "Land Use Permit" and "Land Construction Permit"; 2. Pay resettlement fees and supervise its usage; 3. Guide, coordinate and supervise the implementation of the resettlement plan; 4. Organize and conduct internal M&E, select the external independent M&E bodies, coordinate internal and external supervision; 5. Report to ADB on land acquisition and resettlement, the use of funds, and project implementation; 6. Assist women in getting skill training, compensation and employment; 7. Address contradictions and problems arising in the implementation of the project; 8. Report to the project leading group on land acquisition and house demolition.
DongxingLA and Demolition Office	<ol style="list-style-type: none"> 1. Organize social and economic surveys; 2. Conduct measurement and survey of land acquisition and demolition; 3. Implementation of relocation; 4. Assist local government and the affected people to signing the land acquisition and relocation agreement; 5. Supervise the implementation of the resettlement plan; 6. Manage the information of land acquisition and resettlement; 7. Provide assistance to women in getting skill training, business opportunities; 8. Train migrant workers; 9. Resolve contradictions and problems arising in the implementation of the project; 10. Settle disputes and complaints through coordination and arbitration; 11. Deal with legal issues in land acquisition and resettlement; 12. Report the land acquisition and demolition to the implementing unit. 13. Implementation and execution of relevant laws and regulations on house demolition; 14. Approval of demolition, resettlement compensation related documents, and the issuance of housing demolition permit; 15. Registration and management of housing relocation files; 16. Coordinate, supervise and inspect housing demolition activities and deal with conflicts in the demolition process; 17. Assist the land acquisition and resettlement office in staff training.
Land and Resources Bureau of Dongxing	<ol style="list-style-type: none"> 1. Implement relevant national policies for land acquisition; 2. Participate in the verification of compensation standards for land acquisition and attachments; 3. Approve land acquisition for the project; 4. Participate in measurement surveys and socio-economic surveys; 5. Participate in the preparation of resettlement plan; 6. Issue land plan permit and land construction permit; 7. Release public information on land acquisition; 8. Guide, coordinate and supervise the implementation of land acquisition and resettlement work; 9. Resolve contradictions and problems arising in the implementation of the project.
Legal Consultant Office	<ol style="list-style-type: none"> 1. Provide legal advice during project implementation; 2. Provide legal aid for disputes over house demolition and resettlement.
Town government	<ol style="list-style-type: none"> 1. Assist measurement and socio-economic surveys; 2. Assist in the preparation of the resettlement plan; 3. Supervise the implementation work of village committee of immigration and rehabilitation plans.
Village Committee	<ol style="list-style-type: none"> 1. Participate in socio-economic surveys and in the development of resettlement and rehabilitation programs; 2. Organize public consultation and publicize the policy of land acquisition and resettlement; 3. Advice on payment and distribution of compensation; 4. Organize livelihoods and income restoration activities in the village; 5. Develop tertiary industries; 6. Refer complaints and suggestions of the affected people to higher authorities; 7. Provide assistance to women in getting skill training, starting small businesses cross-border areas.
Design Institute	<ol style="list-style-type: none"> 1. Reduce impacts of the RP to a minimum by optimizing the design; 2. Clarify the scope of the impacts of land acquisition and demolition; 3. Conduct measurement and socio-economic surveys; 4. Assist in the preparation of the resettlement plan; 5. Provide technical services to the City PMO and implementing agencies in the collection and processing of information and data, respectively.
Independent Monitoring Agency	<ol style="list-style-type: none"> 1. Provide technical support in land acquisition and resettlement; 2. As an independent supervisory authority, supervise the implementation of RP and report on its implementation progress to PMO, IA, the land acquisition and relocation office, and Asian Development Bank.

9.3 Enhance Institutional Competencies

9.3.1 Evaluation of Institutional Competencies

(A) Logistics and Hardware

Dongxing LA and Demolition Office is equipped with computer and other office equipment. Daily office equipment, such as office equipment, transportation equipment, communication equipment including air conditioning, tables and chairs, computers, printers, telephones, fax machines, vehicles and some office necessities are available at the LA and Demolition Office. Related expenditures will be included in Daily Office Expenses, and the cost of the hardware facilities will be provided by the resettlement office. The estimated cost is 200,000 yuan.

(B) Financial Competence

During the preparation phase of the project, all spent budgets for project preparation are prepaid by IA. Regardless of the capacity of the staff, the lack of funds in the project preparation phase will certainly affect the establishment and preparation process of the organization (including the feasibility study report and the preparation of the resettlement plan). The resettlement plan considers this problem and has already specified sufficient management funds for the resettlement plan in the resettlement budget.

(C) Staff Competencies

During the project preparatory technical assistance phase, consultants found that many government officials were experienced in land acquisition and resettlement issues and had experience in resettlement work on projects financed by ADB. They need further training to engage efficiently in similar projects.

9.3.2 Institutional Competence Building

A portion of the ADB loan will be allocated for on-site training in specialized fields for designated external supervisory advisors to improve organizational capacity including resettlement planning, engineering programs, management training, planning and design, financial management, management information systems, quality control, and supervision and evaluation.

To enhance the capacity of resettlement workers so as to carry out their work effectively, they will be provided with training. In this regard, the following have been proposed:

(1) The training sites should be selected outside of Dongxing City where successful experiences on resettlement programs of ADB are found, so that students could gain experience from such programs. This requires the help of ADB.

(2) Trainees should be selected from among those who are temporarily transferred to the project to undertake the resettlement work. Those who participate in the project preparatory technical assistance work and resettlement consultants will be required to participate in the training programs.

(3) Training period is scheduled for October 2017 to March 2018.

10 Monitoring, Evaluation and Report

10.1 Objectives

The objectives of monitoring and assessment are to test whether the the implementation of LA and resettlement is in line with RP, and whether RP achieves its objectives and principles. The monitoring and evaluation will focus on on the following aspects of APs and resettlement process:

- 1. Economic condition before and after the replacement of land and house
- 2. Timely payment of compensation
- 3. Environment conditions
- 4. The ability to adapt to society after resettlement
- 5. Livelihood and income recovery measures for the APs
- 6. Comparison between the APs' lives and economic conditions with the non-APs

Monitoring and evaluation will include a social and economic baseline data for APs prior to LA or the actual resettlement. The APs' adjustments during project implementation will be monitored on a regular basis, and an evaluation of their living conditions will be made after a year or two after the completion of the project. The living standards of the APs shall be assessed in different ways from the quality and quantity. The survey will include interviews with IA, local officials, leaders of villages and 20-25% of the AHs. Discussions with focused groups can unveil problems concerning women and the poor.

The PMO and IA will regularly supervise and evaluate the implementation of LA and resettlement to ensure that they are successfully carried out in accordance with RP, and the APs can recover their livelihood. The supervision consists of internal supervision and external supervision. The internal supervision is mainly conducted by IA and is supervised by PLG, PMO and IA so as to ensure that the organizations involved in LA and resettlement will follow the principles and timetable of RP.

The purpose of internal supervision is to urge the organizations concerned to honor their duties effectively. The external supervision and evaluation are carried out by an independent agency on a regular basis.

The resettlement internal supervision includes: data collection, analysis and report on the progress of internal supervision. Meanwhile, the external supervision also inspects the progress, but its main role is to assess the quality and results of resettlement.

Priorities of resettlement supervision lie in the following two aspects:

(1) Offering and distributing the updates of rights to APs.

(2) Comparing the social and economic situation of the APs and affected administrative villages before and after resettlement, especially the recovery of living conditions. The social and economic background information collected during the census of APs will be used in this evaluation.

10.2 Internal Monitoring

The PMO, Dongxing RO and IA will conduct the internal supervision and evaluation to ensure that the relevant departments will implement RP. The purpose of internal supervision is to make sure that the departments will perform their duties during the resettlement.

The internal supervision report is the main document which reflects the progress of LAR activities, points out the problem, and offers insight on how to solve the problems, ongoing consultation and the need to revise the resettlement plan and the budget.

10.3 External Monitoring and Evaluation

PMO will appoint an independent agency to conduct external supervision and evaluation of the LA, resettlement, and income restoration and improvement of the APs. The agency, with a

good reputation and successful experience, should fully understand the policies and resettlement requirements of ADB. PMO should sign a contract with IMA.

10.3.1 Monitoring indicators

The following indicators will be used in monitoring and evaluation. The indicators will meet the requirements of the principles, entitlements and rehabilitation measures proposed by RP:

(i) *Releasing the rights of the APs*: compensation, housing, employment, and necessary assistance specified in the RP especially for the vulnerable and women;

(ii) *Developing economic productivity*: providing job opportunities to APs and calculating the number of employment-related APs;

(iii) *Providing sites for reconstruction*: providing sites for house reconstruction of the APs. Compensation for reconstruction of the house should be the same as the replacement cost; APs must get their subsidy for resettlement on time;

(iv) *Recovery of basic and special facilities*: all necessary infrastructure and special facilities should be restored to pre-resettlement levels; compensation for all infrastructure and special facilities should be sufficient to re-purchase facilities of the same quality as the original;

(v) *The satisfaction of APs*: APs' satisfaction toward RP will be rated in multiple aspects; review of the operability of the ways of grievance redress and appeal procedure will be made and the speed and the results of them will also be monitored;

(vi) *Living standards*: During the whole process of implementation, trends in the quality of life will be observed, and the potential problems in the recovery of living standards will also be identified and reported. Consultants will conduct extensive social and economic surveys after the resettlement to record the living standards and conditions of the APs after the resettlement. The surveys will be conducted once a year, or until most the household's living standards and income are fully recovered;

(vii) *Social adaptation*: attitudes and reactions of children, the elderly, public participants and APs to previous living conditions; the number of grievance and appeals recorded and the number of grievances them resolved; implementation of preferential policies; and the impacts of the income recovery measures; and the improvement of women's status.

10.3.2 Methodology

Methods of external supervision and evaluation are as follow:

1. The independent agency will conduct a baseline survey of the affected areas to obtain baseline data of the APs. Annual surveys of production and APs' living conditions will be conducted to measure changes. Sample follow-up survey of AHs will be carried out, with occasional interviews or on-site visits to obtain sufficient data for evaluation.

2. Conduct group discussions and consultations with representatives from governments, non-governmental organizations (NGO), groups and APs.

3. Conducting conversation with key figures, such as heads of local RC, on works related to RP implementation.

4. Hosting community conference to collect data about resettlement.

5. Direct observation of the progress made in demolition and resettlement, and visiting individuals or groups with certain objectives in mind.

6. Non-sampling methods to investigate key issues with the APs, residents and staff engaged in the resettlement.

10.3.3 Main Tasks

IMA will supervise and evaluate the works related to the project's resettlement and then submit its findings and evaluation report to ADB, IA and other relevant departments. These reports are helpful to the decision making of relevant departments. APs, NGOs and groups should participate in such evaluations.

The external evaluation should include the following aspects of the quality evaluation: (1) sufficient compensation and the time of payment; (2) the housing demolition and resettlement of APs; (3) the housing condition and living environment before and after the resettlement; (4) recovery of APs' livelihoods; (5) operation and efficiency of the resettlement agencies;

10.4 Requirements for the Report

The internal monitoring report is submitted quarterly by the IA to EA. EA will include it in its progress report to ADB. The external monitoring and evaluation report is submitted to IA and ADB simultaneously by the external monitoring agency every six months. An external monitoring report will be prepared every six months until the resettlement process is completed. Thereafter, annual evaluation reports will be prepared by the external monitoring agency until the project is completed. Finally, after the completion of the project, IA will prepare a resettlement completion report and submit it to ADB.

Appendix: Resettlement Information Booklet

1. Basic information

A framework financing agreement for the Guangxi Regional Cooperation and Integration Promotion Investment Program was signed between ADB and the PRC on 15 October 2016. On 12 December 2016, ADB approved the provision of a multitranche financing facility (MFF), comprising three tranches, to the PRC with an aggregate facility amount of \$450 million.¹ The implementation period of the MFF is from 2017 to 2024. The purpose of the MFF is to help the GZAR of the PRC implement its strategies and action plans for regional cooperation and integration (RCI) with countries of the Association of Southeast Asian Nations (ASEAN), with a focus on developing the North-South Economic Corridor (NSEC) under the Greater Mekong Subregional (GMS) Cooperation Program.

The tranche 2 consists of 7 components in GZAR. The Subproject, namely DongxingChanghu Road East Section Construction Project, is the 2nd subproject of Tranche 2 located in Dongxing city, FangchenggangMunicipality. The design length of the east section of Changhu Road is 3,703.616m, with a 62-m boundary width, a grade of primary urban road and a design speed of 60 km/h. The project includes construction works of road, bridge (culvert), traffic, rainwater drainage, wastewater treatment, water supply, lighting, landscaping, electric power, telecommunication, pipe, trench, and gas. The estimated total investment of the project is 363,136,000 yuan.

2. Resettlement Impacts

A collective land of 743.63 *mu* will be acquired for the project (table 1).

Table 1: Impact of Permanent LA on Villagers (by Group)

Affected Households				Land to be acquired (<i>mu</i>)			
Village	Group	HHs	Population	Total	Cultivated land	Forest land	Garden land
Nanmushan	Shanghuang	54	239	17.531	1.545	15.986	
Nanmushan	Xiahuang	89	289	22.718	3.614	19.104	
Nanmushan	Xinqiao	174	397	45.214		45.214	
Nanmushan	Luofu	99	248	28.787	7.552	21.235	
Nanmushan	Xingle	159	427	43.215		43.215	
Nanmushan	Hongshigou	73	207	36.116	8.552	27.564	
Nanmushan	Village Committee	0	0	132.251		132.251	
Nanmushan	Jiaoying	110	290	30.076	3.564		26.512
Nanmushan	Xitou	57	165	8.325			8.325
Nanmushan	Chenwu	88	242	21.131	6.881		14.25
Nanmushan	Hongying	35	139	33.856			33.856
Nanmushan	Zhongba	29	78	9.689			9.689
Nanmushan	Dongba	50	137	7.325			7.325
Nanmushan	Luowu	60	170	62.87	4.56		58.31
Nanmushan	Liwu	61	161	24.138	5.645		18.493
Nanmushan	2 nd Dongtou	24	72	22.841	6.22		16.621
Nanmushan	Changzheng	50	130	11.349	2.897		8.452
Nanmushan	Xifeng	52	160	6.226			6.226
Nanmushan	Dongfeng	98	326	17.881			17.881
Nanmushan	Huangwu	56	172	36.459	8.114		28.345
Nanmushan	Shuipojiang	38	124	31.004	4.882		26.122
Nanmushan	Shanjiao	42	129	20.769	6.558		14.211

¹ ADB. 2016. *Report and Recommendation of the President to the Board of Directors: Proposed Multitranche Financing Facility to the People's Republic of China for Guangxi Regional Cooperation and Integration Promotion Investment Program*. Manila.

Affected Households				Land to be acquired (mu)			
Nanmushan	Suwu	52	139	48.761	12.541	36.22	
Nanmushan	Puzai	38	123	25.098	6.872	18.226	
Total		1588	4564	743.63	89.997	359.015	294.618

Source: Land Acquisition and House Demolition Office of Dongxing City (March 2017).

Note: 1. Since the land belongs to the collective of the village group, and all the members of the local village group participate in the distribution of land compensation, all the members of the affected village group shall be identified as the APs.

All non-residential buildings that need to be demolished for the project are all rural productive houses in Nanmushan Village. A total 26,623.5 m² of buildings constructed with masonry concrete, masonry timber, earth timber, simple structure and sundry structure will be demolished, affecting 16 households with 72 persons, with an average of 1,304.84 m² per household (table 2).

Table 2: Summary of Demolished Non-residential Buildings

Village	Name of property owner	AHs	APs	Area of HD (m ²)					
				Total	Masonry concrete	Masonry timber	Earth timber	Simple structure	Sundry room
Nanmushan	Collectives of Suwu	/	6	1620	48	624	38	910	
Nanmushan	Collectives of Puzai, Fengwu	/	5	20			20		
Nanmushan	Collectives of Dongba, Zhongba	/	1	245		245			
Nanmushan	Collectives of Hongying	/	1	105		105			
Nanmushan	Wu Zhitong	1	3	107.5		107.5			
Nanmushan	He Zhongze	1	3	1200				1200	
Nanmushan	Shen Hongkun	1	3	2400				2400	
Nanmushan	Yang Chaofu	1	3	2900				2850	50
Nanmushan	Ling Qinchang	1	5	780		780			
Nanmushan	Feng Fu	1	3	300	60	240			
Nanmushan	Zhao Conghui	1	3	750				630	120
Nanmushan	Zhao Lingfa	1	3	300				300	
Nanmushan	Shi Fasheng	1	2	450				450	
Nanmushan	Liang Xinheng	1	3	2580				2580	
Nanmushan	Wu Zhiqian	1	3	560				560	
Nanmushan	Gu Shimao	1	4	350				350	
Nanmushan	A Ge	1	3	150				150	
Nanmushan	Wu Fuquan	1	3	1050				1050	
Nanmushan	Wei Yuguan	1	4	4000				4000	
Nanmushan	Wang Xingneng	1	3	3000				3000	
Nanmushan	Collective Plant	/	8	3756	3756				
Total		16	72	26623.5	3864	2101.5	58	20430	170

Source: Land Acquisition and House Demolition Office of Dongxing City (March 2017).

3. Resettlement agencies

The agencies responsible for LA in the Subproject are:

- Dongxing Project Leading Group

- Dongxing PMO
- Dongxing Investment & Development Co., Ltd.
- DongxingLA and House Demolition Office
- Land and Resources Bureau of Dongxing City
- Dongxing Town Government
- Affected village/community committees
- Design agency
- External M&E agency
- Other agencies concerned: women's federation, labor and social security bureau

4. Policy framework and compensation rates

(1) Applicable laws and regulations

- Land Administration Law of the PRC (amended on August 28, 2004)
- Rural Land Contracting Law of the PRC, effective from March 1, 2003
- Regulations on the Implementation of the Land Administration Law of the PRC (Decree No.256 of the State Council), December 27, 1998
- Decision of the State Council on Deepening the Reform and Rigidly Enforcing Land Administration (SC [2004] No.28)
- Guidelines on Improving Compensation and Resettlement Systems for Land Acquisition (MLR [2004] No.238)
- Notice of the General Office of the State Council on Doing a Good Job in the Employment Training and Social Security of Land-expropriated Farmers (SCO [2006] No.29)
- Notice of the Ministry of Labor and Social Security, and the Ministry of Land and Resources on Doing Well in the Social Security of Land-expropriated Farmers Practically (MLSS [2007] No.14)
- Real Right Law of the PRC, effective from October 1, 2007
- Interim Regulations on Farmland Occupation Tax of the PRC, effective from January 1, 2008
- Regulations of the PRC on the Disclosure of Government Information, effective from May 1, 2008
- Urgent Notice of the General Office of the State Council on Further Regulating the Management of Land Acquisition and House Demolition, and Protecting People's Lawful Rights and Interests Practically (SCO [2010] No.15)
- Notice of the Ministry of Land and Resources on Further Improving the Management of Land Acquisition, June 26, 2010
- Urgent Notice of the General Office of the Ministry of Land and Resources on Conducting Strict Management to Prevent Illegal Land Acquisition (MLR [2013] No.28)
- Notice of the General Office of the Ministry of Land and Resources on Doing a Better Job in Disclosing City- and County-level Land Acquisition Information (MLRO [2014] No.29)
- Measures of GZAR for the Implementation of the Land Administration Law of the PRC
- "Notes of The People's Government of Dongxing on the Issuance of Dongxing City's Temporary Standard for the Unified Annual Output Value of the Collective Land" (Dongxing Government[2011] No. 4);
- (xi) "Notes of The People's Government of Dongxing on the Issuance of Dongxing City's Management of Compensation for Rural Housing Demolition and Resettlement" (Dongxing Government [2012] 15);
- ADB's Safeguard Policy Statement, June 2009.

(2) Entitlement matrix

The entitlement matrix has been established in accordance with the applicable policies in this chapter, as shown in Table 3.

Table 3 : Entitlement Matrix

Impact Type	Impact degree	People eligible for compensation	Policies and standards for compensation	Agencies in charge
Permanent LA (1588 rural families in 4564 rural residents)	The project will expropriate permanently 743.63 <i>mu</i> of collective land, including 89.997 <i>mu</i> of dry land, 359.015 <i>mu</i> of forest land and 294.618 <i>mu</i> of garden land.	Provide cash compensation to all families affected by permanent LA. Permanent LA covers dry land, forest land and site for construction. Compensation for LA includes land compensation and resettlement subsidy, which will be divided equally among all members of the AP groups. The compensation for young crops is paid directly to the owner.	The compensation rate for land loss to the APs: 28000 yuan / <i>mu</i> for dry land, paddy field; 18000 yuan / <i>mu</i> for forest and garden land. Compensation for young crops: 600 yuan / <i>mu</i> for arable land; 1,200 yuan / <i>mu</i> for forest land; 3000 yuan / <i>mu</i> for garden land (general nursery garden). All compensation will be paid to the APs based on the price they pay for the replacement. While providing cash compensation, Dongxing government will restore livelihoods of APs by carrying out skills training, introducing employment opportunities, supporting border trade, and developing social insurance and so on.	PMO, Dongxi Development and Investment Co., Ltd., Dongxing Town government, DLRB, RC of Nanmushan Village and RO
Temporary land occupation (12 AHs with 38 APs)	The project will occupy 35 <i>mu</i> of collective forest land temporarily.	The AHs will get compensation for green crops. The cost of re-cultivating the land will be paid to the project's contractor.	Compensation for young crops paid to the farmers who will lose their land: 600 yuan / <i>mu</i> for arable land; 1,200 yuan / <i>mu</i> for forest land; 3,000 yuan / <i>mu</i> for garden land. After the temporary land occupation, the contractor shall restore the land to its original condition and quality.	PMO, Dongxi Development and Investment Co., Ltd., DLRB and RO
Demolition and resettlement of non-residential constructions (16 rural families with 72 rural residents)	Total area of demolition: 26623.5m ²	Providing "cash" compensation to all APs and assisting the affected families / institutions to re-rent new land in the vicinity to resume production and operation. The deadline is decided by Dongxing government and relevant departments, including PMO, IA, DLRB and local governments. The land that is occupied illegally and temporary construction after the deadline shall not be compensated. Dongxing government, IA, and DLRB will video the land on the day of the deadline to prevent future inflows of people. Once the deadline is confirmed, Dongxing government will announce it in Dongxing Newspapers and the bulletin board of the RC. Cash remuneration and subsidy for adaptation will be offered to APs.	Cash compensation for the residential building to the APs includes the all material and labor costs for replacement, and the savings made in materials and depreciation will not be deducted from the compensation. Compensation standards: compensation standard for steel-concrete structure is 250-330 yuan / m ² and brick and wood structure 150-250 yuan / m ² . Families which can move within the specified time will be rewarded with 150 yuan / m ² and a resettlement subsidy of 5,000 yuan to each family member. While providing "cash" compensation, the local governments need to assist the affected families / institutions to re-rent new land in the vicinity to resume production and operation.	PMO, Dongxi Development and Investment Co., Ltd., Dongxing Town government, DLRB, RC of Nanmushan Village and RO
Ground attachments	51 tombs, 12 pumping wells, 8 wells, 3617 cubic meters of water pool, 200 square meters of fish pond masonry, 9000 meters of pipe, 252 square meters of floor, 360 square meters of wall,	All APs will receive compensations equal to their losses.	APs will receive cash compensation based on the following standards: 2500 yuan for one tomb; 105 yuan/ meter for well; 1000 yuan for a pumping well; 20 yuan / cubic meter for water pool; 20 yuan / square meter for fish pond masonry; 10 yuan/ meter for pipe; 15 yuan/ square meter for floor; 20 yuan for one banana	PMO, Dongxi Development and Investment Co., Ltd., Dongxing Town government, DLRB, RC of Nanmushan Village and RO

Impact Type	Impact degree	People eligible for compensation	Policies and standards for compensation	Agencies in charge
	356 banana trees and 210 lychee trees		tree, 25 yuan for one lychee tree and 15 yuan/ square meter for wall.	
Appeal and complaints regarding LAR	Compensation standards, payment of compensation and measures of resettlement	All APs	The fees and management fees involved in the appeal of the APs for problems in LA and resettlement shall be exempted from payment. The reasonable expenses incurred shall be covered by the project's unforeseen expenses.	PMO, and Dongxi Development and Investment Co., Ltd.
vulnerable households	Including: the disabled, five-guarantee households, women-headed households, and MLS households and families which loses over 10% of their income	3 minimum living security (MLS) recipient households with 12 persons, 4 households with 10 persons with disabilities, 2 households with 2 seniors living alone, and 2 women-headed households with 5 persons	Offering vocational training to the labor force in the vulnerable families, and providing employment information and guidance to increase their employment opportunities with priority; During the project construction, priority should be given to recruit family members with working capacity of the vulnerable groups for some jobs that have few requirements for technology.	PMO, Dongxi Development and Investment Co., Ltd., Dongxing Town government, DLRB, RC of Nanmushan Village and RO

5. Grievance redress mechanism

Stage 1: If any right of any APs is infringed on in any aspect of LA and resettlement, they can report this to RC of Nanmushan Village and ask for consultation to solve the problem. After the RC receives the appeal, it shall document it and seek to solve it through negotiation with the APs within 2 weeks.

Stage 2: If the appellants are dissatisfied with the disposition made at stage 1, they can file an appeal to DPMO within one month after they receive the disposition. DPMO shall make a disposition on the appeal within two weeks.

Stage 3: If the APs are still dissatisfied with the disposition of DPMO, they can file an appeal to the People's Government of Dongxing within two weeks after receiving the feedback of stage 2 and the Government will reply to it within 3 weeks.

Stage 4: If the APs are still dissatisfied with the disposition of the Government of Dongxing, they can, after receiving the disposition, file an appeal to competent administrative authorities level by level in accordance with the Administrative Procedural Law of the PRC for arbitration or litigation.

At any stage, APs can file an action in a civil court in accordance with the Civil Procedure Law of the PRC.

Affected persons can decide to go through the legal system directly or may decide not to use project level grievance channels. An aggrieved person may also express grievance to the external monitor, who would then report to it to JPMO and agencies responsible for the project. Alternatively, the aggrieved person(s) may submit a complaint to the ADB project team to try to solve the problem. If good faith efforts are still unsuccessful, and if there are grievances that stemmed from a violation of ADB's safeguard policy, the affected persons may appeal directly to ADB in accordance with ADB's accountability mechanism².

All agencies will accept grievances and appeals from the APs without charging any fee. Reasonable cost of complainants will be paid from the project contingencies. The above appeal channels will be disclosed to the APs via the public meetings, RIB and mass media.

²For detailed information: <http://www.adb.org/Accountability-Mechanism/default.asp>

Handler of grievances and appeals in Dongxing Development and Investment Co., Ltd.: Mr. Zhang; Phone number: 0770-2282275.

6. Resettlement implementation schedule

The general resettlement schedule of the Subproject has been drafted based on the progress of project construction, LA and implementation. The exact implementation schedule may be adjusted due to deviations in overall project progress.

Table 4 Resettlement Implementation Schedule

No.	Resettlement	Task	Agency responsible	Time	Remark
1	Information disclosure				
1.1	Disclosure of the draft RP	1,611 AHs	PMO and Dongxing Investment and Development Corporation	June,2017	
1.2	Disclosure of the RP on ADB's website		ADB, PMO and Dongxing Investment and Development Corporation	June ,2017	
2	RP and Budget				
2.1	Approval of updated RP	/	Municipal Government of Dongxing, ADB	Feb. 2018	
2.2	RP and budget approval (compensation rates included)	47.248 million yuan	Municipal Government of Dongxing, Dongxing Investment and Development Corporation	Feb. 2018	
3	Release LA and Demolition Notice				
3.1	Disclosure of LA to APs	Nanmushan Village	PMO, Municipal Government of Dongxing, Dongxing Investment and Development Corporation	Mar. 2018	
4	Compensation Agreement				
4.1	Village-level land compensation agreement	28 AHs	Bureau of Land Resources of Dongxing, RO	Apr. 2018	
5	Capacity Building of Resettlement Agencies				
5.1	Staff of RP office and land & resources bureau	10 persons	PMO of Dongxing of ADB	May. 2017 to Dec. 2018	
6	M&E				
6.1	Baseline survey	As per the RP	External M&E agency	Mar. 2018	Included in the 1 st report
6.2	Establishing an internal M&E agency	As per the RP	PMO and Dongxing Investment and Development Corporation	Mar. 2018	
6.3	Appointing an external monitoring agency	one	PMO	Feb. 2018	
6.4	External M&E agency	Semiannual report	External M&E agency	July. 2018	1 st report
				Jan. 2019	2 nd report
6.5	External monitoring reporting	Annual report	External M&E agency	Jan. 2020 Jan. 2021	3 rd report 4 th report
6.6	Project Completion report (including LAR)	One report	PMO and Dongxing Investment and Development Corporation	July. 2021	
7	Public consultation		PMO and Resettlement Office of PMO	Ongoing	
8	Grievance redress		PMO and Resettlement Office of PMO	Ongoing	
9	Disbursement of Compensation Fees				
9.1	Disbursement to the IA	Initial funds	Dongxing Municipal Government, PMO and Resettlement Office of PMO	Mar. 2018	
9.2	Disbursement to the Nanmushan Village	Most funds	PMO and Resettlement Office of PMO	Apr. 2018	
9.3	Disbursement to AHs (Bank account)	Most funds	PMO and RO of PMO and Village Committee	Apr. 2018	
10	Commencement of Civil Construction				
11.1	Commencement of civil construction		PMO and Dongxing Investment and Development Corporation	May. 2018	

7. Power of interpretation

The Dongxing PMO has the power to interpret this Resettlement Plan.

Dongxing PMO
July 2017

