

People's Republic of China

**Highway Network Components of
Inner Mongolia Highway and Trade Facilitation Project
Financed by the World Bank**

Resettlement Action Plan

For

Amugulang-Ebudouge Class III Port Highway

(The Final Draft)

**Inner Mongolia Autonomous Region Communications Department
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Objective of RAP and Terms in Land Acquisition and Resettlement

The RAP has been compiled according to the relevant laws and regulations of the PRC and localities as well as the World Bank's Implementation Outline for Involuntary Immigrants (OD4.30). Its objective is to ensure that the impacted people can get benefit from the proposed highway project so that their living standard can be raised or at least can be restored to that before the impact of the project.

The acquisition of land and other properties may impact whoever lives on them. The impacted people include those whose life or income is impacted by the land acquisition and resettlement for the project, including:

- 1. those whose buildings (such as houses, the buildings of an enterprise or unit, or other public buildings) or land (such as courtyards, cultivated land, pastures) or other properties of which who have the ownership, right or economic benefit are acquisitioned either partially or completely;**
- 2. those who use the above building or other properties, or whose production or management, jobs, living environment are impacted;**
- 3. those whose living standard is impacted by land acquisition for the project.**

Consequently, we can define the impacted population as follows.

The impacted population is composed of those, 1. whose life has already or will be impacted by the project; 2. whose buildings or land (such as courtyards, cultivated land, pastures) or other movable or immovable properties of which who has the ownership, right or economic benefit are acquisitioned either permanently or temporarily; 3. whose production or management, jobs, living quarters are impacted.

An impacted object may be a person or a juristic one of a company or a public organization. Whether a person is impacted does not depend on whether he or she has been registered or approved legally to work or live in an impacted area, nor does it depend on whether he or she has the ownership of the properties. Therefore, the impacted people include all those who are impacted by the project:

- 1. whether they have the legal right of acquisitioned properties; or**
- 2. live in the impacted area without a legal approval.**

If a number of persons or a family jointly own or use a piece of acquisitioned land or other properties, they will get compensation according to the seriousness of the impact on their right and living standard. The definition of impacted population is directly related to the negative impact of the project instead of the ownership of these properties or other things.

All the impacted people's living standard should be raised or at least restored. They should get compensation for the loss in properties at least equal to that calculated based on repurchase cost and for no reason should the compensation be deliberately deducted or underestimated.

Resettlement includes the following aspects.

- 1. to rearrange the living areas;**
- 2. to arrange the jobs for the impacted people;**
- 3. to restore or compensate for the impacted productive resources, e.g., land, working places, trees and infrastructures;**
- 4. to eliminate the other negative impact from land acquisition, e.g., environmental pollution;**
- 5. to restore or make compensation for the public or private enterprises,**

and

6. to eliminate the negative impact on cultural facilities or public properties.

To restore means to make restoration of the impacted people's productive resources, so that they will carry on their production or management at least on the original levels before the construction of the project and maintain their life style.

The RAP is intended to make a plan for the impacted people to be resettled and their life restored, so that their losses will get compensated for and their living standard will be raised or at least maintained to the original level before the construction of the project. Therefore, restoring measures will be introduced in this RAP for the impacted people to raise their income or at least maintain the previous level, and for the productive resources and public properties, infrastructure and cultural facilities to be improved or increased or at least maintained the original levels before the construction of the project.

Chapter 1 Brief Description of the Project

1.1 Introduction

One of the Highway Network Components of the World Bank-financed Inner Mongolia Highway and Trade Facilitation Project, the Amugulang-Ebudouge Port Highway (hereinafter referred to as the Highway), starts from south access road in Amugulang Town of Xin Barag Left Banner, stopping at Ebudouge Port. The total length of the Highway is 19.3 km.

The Highway was designed according to Class III highway in plain and slight hilly area, and the design speed was 60 km/h. Its subgrade width was 8.5 m, and the traveled lane width was 7 m.

The existing road from Amugulang to Ebudouge is natural road with bad road conditions. It is apparently unable to meet the increasing needs for transportation, and to keep abreast of the economic and tourist development in those areas. In order to bring the State's strategies of developing the West into force, improve the present traffic conditions, perfect the Provincial Trunk Highway system, and accelerate the resource exploitation and economic development in the areas along the alignment, the Highway is in urgent need of construction.

1.2 Project impacted areas

The Highway goes through Xin Barag Left Banner of Hulun Buir City. There are 1 prefecture-level city, 1 banner, 1 town, 1 Gacha affected by the Project. That is, Bayinaobao Gacha of Amugulang Town.

1.3 General socio-economic situation of the Project affected areas

1.3.1 The Inner Mongolia Autonomous Region (IMAR)

The Project Area, the IMAR is situated in the northern frontier of China. It stretches 2400 km from west to east and 1700 km from north to south, traversing northeast, north and northeast China. The IMAR covers an area of 1.183 million km² or 12.3 % of the country's territory, and its land area is the third largest in China. The Region is surrounded by eight provinces and regions in its south, east and west, and Mongolia and Russia in the north, with a borderline of 4200 km.

The total population of the IMAR is 23,790,000. There are Han, Mongolian, Hui, Manchu, Tibetan, Korean, Tahir, Olunchun and some other nationalities. The Mongolian Nationality is the main body in the IMAR. In 2002, the GDP in the IMAR reached 173.248 billion yuan, the annual average income per urban citizen was 6051 yuan, and the annual average net income per farmer or herdsman was 2086 yuan. The IMAR has national iron and steel and coal production bases. In addition, it has industries of forest, farm and animal production processing, electricity, machinery, chemicals, electronics, textile, sugar, paper making and light industry. It has developed agriculture and animal husbandry. The Region is a national production base of cash grain, oil and sugar, and also an important animal husbandry base, ranking top among the five major pastoral areas in the State.

1.3.2 Hulun Buir City

Hulun Buir City is situated in the northeast of IMAR, between longitude 115°31' ~ 126°04' E. and 47°05' ~ 53°20' N., stretching 630 km from west to east. It covers an area of 253,000 km² or 21.4% of the IMAR's territory. The City is surrounded by Xing'an League in its south, Heilongjiang Province in the east, Russia in the north and northwest, and Mongolia in the west and southwest, with a borderline of 1685.82 km. In 2002, its population was 2.676 million with 35 minorities, accounting for 15.9% of the total population.

The land area of Hulun Buir City accounts for 11.9% of the IMAR's area. Per capita land (8.82 hectare), per capita cultivated land (0.49 hectare), per capita forest land (4.50 hectare), and per capita grassland (3.08 hectare) are 11.5 times, 4.9 times, 27.3 times and 16.3 times of the corresponding indicators in China separately. As shows the rich land resources and potentials to develop. Except for the sand land, rock land, bare land, swampland, and saline and alkali land, accounting for 1.8% of the City's area, which are difficult to be developed, the other 98% of land can be utilized easily. The land availability percentage of the City is higher than that in whole IMAR, 80.7%, and much higher than that in whole China, 65%. The quality of land resources is high in IMAR and China. The organic content here is 4-6% so land is suitable for agriculture and animal husbandry.

The City is one of the important farm production bases in IMAR. The cultivated land increased from 15.09 hectare in 1949 to 108.6 hectare in 2000, and in the same period, the grain production output increased from 165,000 tons to 1,754,000 tons. The agricultural technology is an important fact in agricultural development. The agricultural mechanization in the family farms has been accomplished in Hailar Reclamation Area and Great Xing'an Mountains Reclamation Area. Fine varieties of farm products, such as wheat, soybean have been developed, and every year 70% of the farm product are exported to foreign countries, ranks first in IMAR.

The animal husbandry of the City is becoming benefit-oriented, Sanhe Cattle, Sanhe Horse, Hulun Buir fine-fleece sheep and other fine varieties of livestock have been bred. Through returning land for farming to grassland, the problem of lack of fodder grass in Lingxi Area has been resolved. Lots of cattle and sheep from the pasturing areas were fattened in the farming areas, miming areas, reclamation areas and suburban areas. In 2000, the annual livestock number reached 5.763 million, and the animal husbandry production system focusing on

milk, meat, and grass has been formed.

The industry sectors of the City are relatively complete, and its production structure is becoming appropriate gradually. The industries of forest, coal, electricity, textile, dairy products and construction materials are the mainstays of industry production with local national characteristics. Now Hailar, Manzhouli, Zhalantun, and Yakeshi are the centers of the industries of farm and animal husbandry product processing, forest, timber processing, machine manufacturing. The City's industry is beginning to be intensified and formed economic groups. The state-owned, collective, individual, stock-holding, privately owned, jointly managed sectors have diversified the City's economy. In 2000, the value-added of industry of the enterprises at township level and above in the City was 1.438 billion yuan.

The City is rich in tourist resources, such as prairie, and forest landscape, ethnic scenes, ancient and modern sight spots. Long Sino-Russian and Sino-Mongolian borderline and lots of ports are potential resources which can be developed as new tourist attractions. The prairie, forest, rivers, lakes, mineral springs, rare animals and plants, mountains, and ice and snow made the City's natural landscape very beautiful. Besides, Barag Mongolian Nationality, Buliyate Mongolian Nationality, Tahur Nationality, Ewenki Nationality, and Olunchun Nationality still retain traditional production, habits and customs, and colorful ethnic festival celebrations. The City's tourist industry, with the characteristics of Hulun Buir prairie, forest, rivers, ports, and ethnic customs and manners, has evolved a style of domestic tourism, international tourism, frontier tourism, and foreign tourism.

1.3.3 Xin Barag Left Banner

Xin Barag Left Banner is situated in the hinterland of Hulun Buir Prairie in the southwest of Hulun Buir City, between longitude 117°33' ~ 120°12' E. and 47°10' ~ 49°47' N.. The Banner is surrounded by Chen Barag Banner, Ewenki

Banner in its east, Horqin Right Wing Front Banner of Xing'an League in the south, Xin Barag Right Banner in the west, Manzhouli City in the northwest, Russia in the north separated by Ergun River, and Mongolia in the southwest. It covers an area of 22,000 km². In 2002, its population was 39,700 and its 12-minority's population was 30,000, accounting for 73% of its total population. In 2000, the GDP of the Banner was 341.13 million yuan, and the gross output value of industry and agriculture were 8.287 million yuan and 146.057 million yuan separately.

There are white mushroom, goldflower, shallot and over 100 medicinal materials in the Banner. Reed abounds in the Huihe River and Wuerxun River basin. The wild animals here include over 30 kinds of ones, such as yellow sheep, roe deer, black bear, fox, marmot, swan, red-crowned crane, wild goose, pheasant and lark, and the mines here includes coal, petroleum, nitric, alkali, salt, pearlstone.

1.4 Minimization of land acquisition and resettlement

The IMAR's governments at all levels pay great attention to the land acquisition and resettlement. When preparing the Resettlement Action Plan for the Project, it has been considered that all PAPs and units should receive reasonable compensation and be well resettled. As soon as the resettlement starts, the implementation will be carried out in accordance with the RAP to minimize the Project impact. A series of measures will be taken to rehabilitate or reconstruct the affected residents, units and enterprises, infrastructure as soon as possible. Even when the civil construction of the Project is initiated, further efforts, such as technological innovation and strengthening the management of construction, can be made to mitigate negative impacts on the affected areas and convenience the PAPs' work and life.

The construction of the development projects usually involve land acquisition, housing relocation, and displacement, and affect local people's production and

living conditions. When the different route alternatives were compared, much attention was paid to the impacts of the projects on local society and economy. In order to minimize the land acquisition and displacement, in the determination of the alignment, the design institutions prevented the highway from directly passing through the residential spots, used cultivated land as less as possible, and minimized housing relocation.

As early as the techno-economic feasibility study and the preliminary engineering design for the Project, based on the Design Norm of Highway Route combined with the terrain along the route, the departments concerned planned and designed the route alignment according to the principles such as economizing on land, reducing the cultivated land acquisition, not taking high-yield land and minimizing the building relocation. They solicited opinions from the local governments and villagers in the affected areas, and decided the route alignment scheme on the basis of repeated comparison of different route alternatives. Therefore, the Project impact on the cultivated land, housing and units and enterprises has been reduced as much as possible.

During the Project planning and construction stages, the following principles will be applied to reduce Project impact on production and living conditions of local residents.

A. Recognize the impacts and inconvenience brought upon by the construction of the Highway, and adopt measures such as building elevated pass-way or underground passageway for those residential concentrated areas; when passing through a township town, parallel local roads will be provided; and all highway pass-ways will be designed to accommodate farm-use vehicles and transporting animals. For those affected irrigation canals, they will be restored in order to ensure the normal farming activities will not be adversely affected.

B. Collect basic information, analyze local socio-economic conditions, and

combine local actual condition to develop a feasible RP so as to reduce the impact of construction and ensure that the living standard of the affected people won't decrease because of the Project.

C. Strengthening internal monitoring and external monitoring on resettlement implementation; and setting up an effective feedback system in order to solve problems in timely fashion in resettlement implementation.

D. Enhancing Public Awareness and Participating: Before Project construction, construction schedule notices will be posted in Project impact areas and resettlement areas. Meanwhile, the compensation policies of land requisition, house removal and resettlers' relocation will be published, which will be monitored by the PAPs. During construction, priority will be given for using local materials, local transportation means and local labor forces, so affected people can obtain additional benefits from the Project.

E. Optimize construction design, reduce construction period, and plan housing removal and construction in reasonable period such as during farm slack season, so as to decrease the Project impact on local production.

F. Reduce the dust and treatment of waste materials. Construction contractors should carefully select routes for transporting soil and stone, and adopt measures to prevent the falling of soil on the roads. The Project owner and construction contractors should follow the environmental regulations and requests of local environmental and hygienic departments on treatment of the domestic waste materials in the site of construction sites in order to prevent epidemics.

Chapter 2 Census and Socio-economic Survey of the Affected People and Assets

2.1 Brief account of the survey

In order to know exactly and completely the impacts of the land acquisition and resettlement of the Highway, before the compilation the RAP, between October 2003 and January 2004, the investigation team, which was composed of the personnel from the IMAR Communications Department Capital Introduction Office, and the related departments in Hulun Buir City and the affected banners (counties), conducted the detailed survey of impact inventory including population, houses, land, and infrastructure, according to the range determined by the China Highway Engineering Consultancy and Supervision General Company. The investigation results have been confirmed by the affected villages, households and investigators over their signature.

2.1.1 Impact inventory survey

Impact inventory survey were divided into: land acquisition survey, the Project affected people survey, house demolition and attachment survey, scattered tree survey, rural production and living facility survey, special facility survey, etc.. The detailed survey methods are described as follows:

Land acquisition survey

It was conducted according to the present conditions of land used, the cultivated land, grassland, forest land, housing plot will be registered separately. Various lands survey were done by the design institute adopted GPS positioning system of whole world, the results were registered and counted up as every village and every piece of land, by 1: 2000 actual survey topographic maps.

Affected people survey

It was registered and counted up as numbers of actual Project affected persons. Affected persons of land acquisition are registered and counted up as real number of land acquisition households. The items to be investigated included relationship with household head, sex, age, nation, occupation, level of education, and technical level, etc., especially ethnic minorities.

House demolition and attachment survey

The methods to check house property certificate, land-use certificate and combined with site actual condition survey were adopted. All land attachments and accessory facilities belonging to the resettles were registered and counted up one by one.

Scattered tree survey

It was registered and counted up as kinds of trees and their diameters according to actual number.

Rural living and production facility survey

All of the living and production facilities affected by the Project were surveyed and registered by species.

Special infrastructures survey

The items Surveyed and counted up included water conservancy, power facilities and communication apparatus affected by the Project.

In order to analyze the Project impact and prepare practicable RAP, the relevant departments organized by the IMAR Communications Department Capital Introduction Office and the departments from Hulun Buir City surveyed socioeconomic conditions of the banners (counties), townships (Sumu), villages (Gacha) and resettles in the affected areas. The survey adopted the methods of collecting present statistic data and surveying samples on field sites. According to the survey results, local socioeconomic situations and the villagers' actual

production and living conditions were analyzed carefully.

General conditions of the areas affected by Project, socioeconomic situation and development plan

Collecting related documents and statistical data from the departments of plan and price of local governments including GDP, national income, gross output value of industry and agriculture, fiscal revenue, income level, agriculture product and by-product, price information needed, and livestock number. The information could reflect generally the local socioeconomic conditions.

The present condition of production and living for local villagers in the affected areas

Determining various indexes to judge production and living for local villagers in the affected areas, and surveying samples of effected items due to land acquisition and house demolition.

2.1.2 Socioeconomic survey

2.1.2.1 Documentary research

Documentary research was aimed to understand the history and current situations of the Project affected areas. It is a base and precondition to carry out a field survey.

2.1.2.2 Field survey

According to the survey outline and questionnaires, survey of the villagers was conducted on site, and public meetings were had.

2.1.2.3 Identification and analysis of major social issues

Because of different socioeconomic background and characteristics, different projects have different major issues. It is necessary to define the major social issues, which are important to the preparation and implementation of the Project, according to the characteristics of the Project. Then those issues would be

investigated, and analyzed, and planning would be made. Based on the Project's features, the major social issues were determined as follows: resettlement; highway project and local socioeconomic development; and minorities. For details, please refer to the related sections of this report.

2.2 Land acquisition

Land to be acquired by the Project is 330.74 mu of grassland in Bayinaobao Gacha.

2.3 Affected houses

According to the survey, there are no houses affected by the Project.

2.4 Affected enterprises and institutions

According to the survey, there are no enterprises and institutions affected by the Project.

2.5 Affected crops

Since no cultivated land will be acquired by the Project, there will be no affected standing crops in the land acquisition and resettlement of the Project.

2.6 Affected infrastructure and other main assets

The infrastructure and other main assets affected by the Project are 1 electrical and communication wooden pole.

2.7 Project-affected people

The Project affected people only include those whose contracted land will be acquired. 31 people in 6 households of Bayinaobao Gacha, who are all Mongolians, will be affected by the Project. The average grassland holding per capita in the affected village is 3483 mu/person, and the average grassland acquisition per capita will be 1.6 mu/person. Those show that each farmer household contracts a huge amount of grassland because they live in an area with much land and few population, and that the Class III highway usually acquires a small amount of land. Therefore, the overall impacts of the Project on local farmers are very little.

2.8 Socioeconomic situation of and land acquisition impacts on the affected villages (Gacha)

According to the survey, the socioeconomic situation of the villages (Gacha), which the proposed Project will go through, are described as follows:

The total population of Amugulang Town is 13263 people, in which men is 6736 and woman is 6527. The land area is 485 km², with grassland of 429 km². The annual net income per capita was 3037 yuan.

Bayinaobao Gacha has 207 people in 42 households. The Gacha has grassland area of 721,050 mu, and the total livestock number is 24049. It belongs to plain and slight hilly area, and the villagers rely mainly on animal husbandry. There are rich grass recourses, but no mineral resources, relics or scenic spots here. In 2002, the annual net income per capita was 2194 yuan.

The land acquisition impacts on Bayinaobao Gacha are very limited, and the percentages of grassland to be acquired in total grassland of the villages is 0.046%. Therefore, local farmers have no objection to land acquisition. What they are concerned about are the issues such as notifying them as early as possible and paying the compensation in time.

2.9 Analysis of the socioeconomic impacts

The present Chinese land system was formed in early 1980's. It didn't alter the previous collective ownership, but land ownership and land operation right were detached, which partly changed the land use system. Farmers began to contract for collective land (including cultivated land, forest land, grassland and wasteland) by household. The State stipulates that land in rural and suburban areas shall be owned by peasant collectives, except for those portions which belong to the State as provided for by law; house sites and private plots of cropland and hilly land shall also be owned by peasant collectives. The term for contracting for the cultivated land is 15 years and the term for contracting for other kind of land is decided by owners and contractors in the contracts. The state issued a policy for a new round land contract: land contract further prolongs 30 years in 1990's after the 15-year contract term expired in 1990's. The revised Chinese Land Administration Law reflected this policy.

Chinese formal rural organization network has been well developed. It plays an important role in technology dissemination and information transmission in farmers' daily life. The preparation and implementation of the Project, especially the resettlement work, relate closely to the formal rural organization network.

The present Chinese rural organization structure was also formed in early 1980's. It was changed into county (banner) – township (Sumu) - administrative village (Gacha) – villager group which has gone on since then. Under this structure, administrative organs are set in county (banner) and township (Sumu), and administrative village and villager group belong to self-government organizations. In recent years , the original administrative functions of township governments have been gradually changed into service functions. However, the rural formal organization network is relatively stable.

The traditional rural community is natural village. Generally speaking, a natural village is comprised of a villager group now. A big natural village may comprise a few villager groups and even comprise a whole administrative village (Gacha). Chinese rural land is owned collectively. In most cases, land belongs to a villager group collectively, or a community to some extent. A few exceptional cases are in some farms, which belong to the State or a locality collectively.

According to the actual situations of the affected villages (Gacha), and based on the rural land system and organization network, the impacts of the Project are analyzed as follows:

Positive impacts

1. Accelerating local economic development during Project construction

During Project construction, priority will be given to purchasing local construction materials and using local labors and technical services. In addition, related industries such as agricultural sideline product supply and development of tertiary industry will be accelerated to some extent.

2. Accelerating local economic development after Project completion

‘Giving priority to road construction in order to become rich’ has become social common view in the Project area. The Project will bring the advantages of local vital communications line into full play. It speeds and facilitates not only transporting and selling the products of local agriculture, animal husbandry and sideline to the outside but also circulating the interior goods. Its swiftness, convenience, time-saving and money-saving thus will develop local economy, increase income of local farmers and herdsman, and improve local people’s living standards. Furthermore, areas near the Project area will also benefit from the convenient transportation due to the completion of the Project.

3. Improving the socioeconomic development of Xin Barag Left Banner

The Project will perfect the main trunk highways in the Banner. It will promote the trade and tourist development along the alignment, and will be beneficial to the socioeconomic development of the Banner.

Potential Negative impacts

Some adverse impacts will appear due to Project construction. Therefore, full consideration has been given to the potential negative impacts during Project designing. The plans to mitigate the negative impacts have been worked out.

The possible negative impacts will be mainly on resettlement. (1) Land acquisition: the Project construction will acquire land including a part of farmland. This will directly affect local farmers and herdsmen. (2) Demolition: although house demolition has been minimized as far as possible in Project designing, some house demolition is unavoidable.

The Project owner and design institute have taken some measures to mitigate the potential impacts. As for resettlement impacts, RAP has been well prepared, and will be well carried out. Take land acquisition as an example, more gentle slopes, more wasteland and less cultivated land were considered in designing. In addition, people suffering farmland lose due to the Project will be compensated according to relevant laws and regulations. People suffering house demolition due to the Project will not only be compensated but also be assisted to select new house site and to build new houses.

At present non-agriculture industry has become farmers' vital income resources. In general, they go outside to do their jobs. Some of them are engaged in trade and transportation. Some farmers take the advantage of slack season to work outside while other farmers work all the year round outside. Investigation shows that usually one laborer per household works outside as a worker or tradesman.

In some cases all the laborers in a household go into non-agriculture industry.

2.10 Stakeholder Analysis

Project stakeholders are people or sectors whose benefits directly or indirectly relate to the Project and who are directly or indirectly influenced by the Project success. The groups engaged in border trade, people along the proposed alignment and in peripheral area, communications sectors, governments at various levels, sectors concerned, and designing and consulting agencies are all the stakeholders. Their demands for and attitudes toward the Project directly and indirectly affect the Project success.

Among the stakeholders, people engaged in border trade, urban people along the alignment, farmers and herdsmen along the alignment, and people employed in highway transportation are main stakeholders while people in peripheral area are minor stakeholders. Among urban and rural people along the alignment, some people will be adversely affected by the Project.

2.10.1 The groups engaged in border trade

The construction of the Project will have positive impacts on the groups engaged in border trade. The improvement of the road conditions will enhance the transportation ability and competitive power, and improve the service on the whole. The industries relating to border trade will progress rapidly, and thus also make positive impacts on the agencies and people engaged in border trade.

2.10.2 The people along the alignment

(1) The urban people along the alignment

The Project will improve production conditions and investment environment, enhance local economic development and increase local people's income.

(2) The farmers and herdsmen along the alignment

The Highway will make local farmers and herdsmen get in and out, transport and sell farm products conveniently. Income from catering trade along the highway will increase. They can take the advantages of Project construction to develop and utilize the local stone construction materials, and obtain more employment chances. Since the land for the Highway is acquired along the proposed alignment, and the land holding per household in the locality is big, the percentage of the land acquisition in the total contracted land of the affected farmers and herdsmen is small. The adverse impacts of land acquisition on their income and living will be very limited.

2.10.3 The People in peripheral area

The Highway will provide the peripheral area with convenient transportation conditions due to its swiftness and integral service function. It will cut down the transportation time, reduce the transportation costs, make the full use of resources of different regions, and facilitate the material and cultural exchange.

2.10.4 The People employed in highway transportation

The completion of the Project will improve the traffic conditions, and thus make things convenient for people employed in highway transportation

2.11 Minority people in the Project area

The land acquisition and resettlement of the Project will only affect Mongolian Nationality.

Mongolian Nationality

IMAR is a minority autonomous region with the Mongolian Nationality as its main body. Mongolian people in the Project area rely mainly on animal husbandry. Mongolian people have lived with the Han Nationality in pastoral area for a long time. They are similar to Hans in language, production, and

habits and customs.

Mongolians and Hans work on animal husbandry, and are also engaged in other businesses together. Adapting to new development tendency, more Mongolians are engaged in secondary and territory industries.

There is no obvious difference in habits and customs, and religion between Mongolians and Hans living in the same area. Usually there is no necessity to make such difference. The Mongolian Nationality is defined as ‘main body’ in the IMAR. Chief local leaders are the Mongolians. The Mongolians have higher political and social status in the Project area. Mongolian villagers have more non-agriculture employment chances.

The Mongolian nationality and the Han nationality live together over a long period of time and share Chinese northern dialect. Some aged Mongolians can speak Mongolian.

The total households and persons in Bayinaobao Gacha are 42 households and 207 persons, including 3 households and 10 persons of Han Nationality, and 39 households and 197 persons of Mongolian Nationality. The 6 households and 31 persons who will be affected by the land acquisition of the Project are all Mongolian people. No other ethnic minorities will be affected. In order to implement well the resettlement for Mongolian people, in addition to the RAP, an Ethnic Minority Development Plan has been prepared.

Chapter 3 Legal Framework

3.1 Brief account

The RAP for the Project has been prepared in accordance with the following laws and regulations, and the World Bank's policy on Involuntary Resettlement (OP 4.12 and BP 4.12).

Policies on land acquisition and resettlement are formulated at three levels of government in China:

- * The central government has established the basic policy framework through promulgation of national regulations and implementation guidelines;
- * Provincial governments have issued either general or project-specific regulations on implementation of national regulations;
- * Prefectures, municipalities and counties have issued regulations applying to specific projects.

3.2 National laws and regulations

The following laws comprise the key national policies on nationality, land, grassland, and forest land:

- * The Constitution of the People's Republic of China
- * The Autonomous Law in the Minority Regions of the People's Republic of China
- * The Administration Regulations of Minority Towns and Townships and other laws and regulations relating to nationality
- * The Land Administration Law of the People's Republic of China and its Implementation Regulations

- * **The Grassland Law of the People’s Republic of China**
- * **The Forestry Law of the People’s Republic of China and its Implementation Regulations**
- * **The Protection Regulations of the Basic Pastures of IMAR**
- * **The Provisional Regulations of the Cultivated Land Occupation Tax the People’s Republic of China**

The Constitution of the People’s Republic of China

In the first chapter “the general principle of the constitution” of The P.R.C Constitution, the fourth article is on the minority nationality.

All the nationalities in the P.R.C are equal. The state secures equality, solidarity and cooperation of minorities, prohibiting oppression and discrimination against any minority , and prohibiting undermining national unity.

According to the characteristics and the needs of minority nationalities, the state helps accelerate the economic and cultural development of minority regions.

Regional national autonomy is established in compact communities of various minorities. Self-movement organs are set for and autonomy is empowered to those minorities. The places with regional national autonomy are the integral components of the P.R.C.

People of the various minorities are free to use and develop their own languages and characters, and free to maintain and reform their own customs.

In addition, the sixth section “organs of self government in autonomous regions” in the third chapter “national institution” of the P.R.C Constitution contains the provisions on organs of self-government in autonomous regions. There are 11 provisions from Article 112 to Article 122.

The provision of Article 118 is under the guide of government plans, organs of self-government in national autonomous regions are independent in charge of administrating the local economic construction.

While tapping natural resources and setting up enterprises in national autonomous regions, the state should give consideration to benefits of those regions.

The Autonomous Law in the Minority Regions of the People's Republic of China

A particular law P.R.C Regional Autonomy of Minority Law deals with development in a minority territory.

According to the provisions in P.R.C Constitution and P.R.C Regional Autonomy of Minority Law, besides the authority owned by a local vis-a-vis, organs of self-government in national autonomous region are entitled to exercise autonomy. Autonomy of organs of self government contains the following aspects:

- (1) autonomy in legislation;
- (2) flexible exercise of autonomy;
- (3) autonomy in administrating local political affairs;
- (4) autonomy in administrating local economic construction;
- (5) autonomy in local finance;
- (6) autonomy in administrating local affairs on science, education, culture and sports;
- (7) autonomy in setting up local public security troop to maintain social order;
- (8) autonomy in using and developing minority language and characters;
- (9) autonomy in training and adopting minority officials;
- (10) autonomy in administrating other local affairs.

The Administration Regulations of Minority Towns and Townships and other laws and regulations relating to nationality

In 1993, the State Ethnic Affairs Commission of PRC issued its No. 1 decree of that year: “the Administration Regulations of Minority Towns and Townships”. The Regulations stipulate that the minority towns and townships are the administrative areas at township level in compact communities of various minorities. The governments of the minority towns and townships support the development of economy, education, science, hygiene, etc. following the State’s laws and regulations and in consideration of the local conditions and the characteristics of the minorities.

Besides, the Organization Law of the Villager Administrative Committees of PRC also gives the regulations concerning nationality. Article 5 stipulates: the villager administrative committees in compact communities of various minorities should teach the villagers to be united, help each other, and respect each other. Article 9 stipulates: each villager administrative committee consists of director, vice-directors and members totaling 3 to 7 persons. The minorities with less population should have their representatives in the villager administrative committees.

Each autonomous banner draws up autonomous regulations according to the constitution and autonomous law in minority regions and in consideration of the real situations of the locality, and exercises its governmental functions and autonomous powers.

The Land Administration Law of the People’s Republic of China and its Implementation Regulations

Ownership

- (1) The ownership of all land is vested in either the state or the collectives.**
- (2) Collective land is managed and operated by village councils.**
- (3) County governments register collective lands and issue certificates of ownership to villages. For state construction, only governments above the county level are permitted to issue certificates authorizing rights to the use of land to state units (institutions and enterprises), collectives or individuals.**
- (4) Any change in ownership or the right to use land must be officially recorded and a new certificate issued.**
- (5) Once acquired for a state project, collective land becomes state land.**

Land use

The law permits transfer of right of use of both state and collectively-owned lands.

Land for state construction

(1) Approval procedures

(A) Project units must apply to land administration departments of county governments or above for land with a feasibility study, annual construction schedules and other specified documents.

(B) After reviewing the application and examining the land to be acquired, the land administration department coordinates discussions on land compensation and resettlement plans among the project units, owners or users of the land, and other units concerned. After concluding these discussions, the land administration department of the county government submits its recommendation for approval to higher levels of government.

(C) Upon approval, the relevant government department issues a document authorizing allocation of the required land.

(2) Authority for approval

For state construction projects, the State Council must approve acquisition of cultivated land exceeding 35 hectares and other types of land exceeding 70

hectares.

(3) The project units must compensate the affected units or persons for loss of land , standing crops, and resettlement.

(4) Formulas to calculate the amounts of compensation are specified:

(A) The compensation fee for cultivated land should be 6-10 times the average annual production value per mu during the three years prior to acquisition.

(B) On the basis of the formulas, the provincial and municipal governments should establish the rate of compensation rate for other types of land.

(C) With reference to the formulas for cultivated land, provincial and municipal governments should determine the rate of compensation rate for standing crops and attached structures.

(D) Based on the number of agriculture population to be resettled, the regulations stipulate payment of a resettlement grant. The amount of the resettlement grant is to be determined on a per capita basis and should be 4-6 times the average output value per mu during three years prior to land acquisition. The amount of the grant, however, should not exceed 15 times the average value of the produce. Should the resettlement grant prove inadequate to maintain the previous living standards of the affected people, provincial and municipal governments can increase the amount of the resettlement grant. But the combined amount of the compensation for land and resettlement grant should not exceed 30 times the average annual production value per mu during the previous three years.

(E) Temporary occupation of land must be compensated year by year on the basis of the average annual production value during the 3 years prior to land acquisition.

(5) Compensation for standing crops and attached private structures should be paid to the individuals.

The Grassland Law of the People's Republic of China

Article 4. The grasslands are owned by the state, that is, by the whole people, with the exception of the grasslands that are owned by collectives in accordance with the law. Grasslands under ownership by the whole people may be assigned to collectives for long-term use. Grasslands under ownership by the whole people, those under collective ownership, and those under ownership by the whole people that are assigned to collectives for long-term use may be contracted by collectives or individuals for pursuits in animal husbandry. With respect to grasslands used by units under ownership by the whole people, the local people's governments at the county level or above shall register such grasslands, issue certificates to the said units after verification and thus establish their right to use such grasslands. With respect to grasslands under collective ownership and those under ownership by the whole people that are assigned to collectives for long-term use, the local people's governments at the county level shall register such grasslands, issue certificates to the collectives after verification and thus establish their right of ownership of the grasslands or their right to use them. The right to own or use grasslands shall be protected by law and may not be infringed upon by any unit or individual.

Article 7. When grasslands owned by collectives are to be requisitioned for state construction the matter shall be handled in accordance with the provisions of the Regulations Concerning Land Requisition for State Construction. If grasslands under ownership by the whole people that are assigned to collectives for long-term use are to be used for state construction, due compensation shall be paid to the collectives concerned and proper arrangements made for the productive pursuits and livelihood of herdsmen with reference to the provisions of the Regulations Concerning Land Requisition for State Construction. If grasslands in national autonomous areas are to be requisitioned or used for state construction, due consideration shall be given to the interests of the national

autonomous areas and arrangements made in favor of the economic development of those areas. The temporary use of grasslands for State construction shall be effected in accordance with the provisions of the Regulations Concerning Land Requisition for State Construction. When the period of use expires, the unit that has used the grasslands shall restore the grassland vegetation.

The Forestry Law of the People's Republic of China and its Implementation Regulations

Article 3. The forest resources shall belong to the state, unless the law stipulates they belong to the collective. For the forests, trees and woodlands owned by the state and the collective and the trees and woodlands owned by private individuals, the people's government above the county level shall register and record them, issue certificates and confirm the ownership and the right to use. The State Council may authorize the competent forestry authorities under the State Council to register and record the forests, trees and woodlands in key forest districts determined by the State Council to be owned by the state, issue certificates and inform relevant local people's governments.

The legitimate rights and interests of the owners and the users of the forests, trees and woodlands shall be protected by the law; no organization and private individual shall such rights and interests.

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

vegetation recovery payments shall be used for designated purposes; the competent forestry authorities shall use them, according to relevant stipulations, for afforestation, recovery of forest vegetation; the area of afforestation shall not be smaller than the area of forest vegetation reduced as a result of woodlands occupied or expropriated. The competent forestry authorities at a higher level shall periodically urge and inspect the competent forestry authorities at a lower level in the organization of afforestation and recovery of forest vegetation. No organization and private individual shall divert the forest vegetation recovery payments. The competent auditing authorities of the people's government above the county level shall strengthen their supervision of the situation in connection with the use of the forest vegetation recovery payments.

3.3 Regulations of the IMAR

The IMAR drew up the IMAR Implementation Regulations of the Land Administration Law of PRC according to the State Land Law.

The Protection Regulations of the Basic Pastures of IMAR

Article 15. For approved requisition of the basic pastures for non-animal husbandry construction, compensation shall be given to the original owners and users in accordance with the related laws and regulations. Besides, the basic pasture construction compensation shall also be given according to the following standards:

(1) The basic pasture construction compensation for acquisition of the Class I basic pasture shall be 15-20 times of the average annual output value of animals browsing and cash plants growing in the pastures in the 5 years prior to requisition.

(2) The basic pasture construction compensation for acquisition of the Class II

basic pasture shall be 10-15 times of the average annual output value of animals browsing and cash plants growing in the pastures in the 5 years prior to requisition.

For requisition of the basic pastures for the construction of infrastructure such as electricity, transportation, communication, water conservancy, and public welfare, the basic pasture construction compensation can be reduced or exempted if approved by the IMAR Government.

The Hulun Buir City has not issued the written implementation regulations, and implements the land acquisition and resettlement within their jurisdictions according to the state's and IMAR's relevant laws and regulations with reference to the local actual situations.

3.4 World Bank policies

In order to assure the PAPs to be benefited from the Project, the involuntary resettlement is an inseparable part of the engineering design. Therefore, the following measures should be taken according to the relevant World Bank policies, especially resettlement requirements:

- 1) It should avoid or minimize the involuntary resettlement in a desirable scope, while taking all feasible replacement plan into consideration.
- 2) All involuntary resettlement should be included in the development projects which must be realized, while adequate funds should be provided to the PAP, who should have chances to be benefited in the Project. Thus, the PAP should:
 - a) obtain all compensations for their losses at replacement value before the resettlement;
 - b) being given assistance in the course of relocation, and in the transition

period of moving to the new sites.

c) develop a strategy for enhancing or at least rehabilitating their previous living standard, income capability, and production level. Special attention must be paid to the necessity of the vulnerable group.

3) Encourage the mass participation in the process of planning and the RAP implementation, through the establishment of the corresponding social institutions set up by the residents.

4) Minimize the adverse impacts to the original residents in the resettlement area, therefore the PAP should integrate with the former in social and economic activities.

5) Land, housing, infrastructure, and other compensation should be provided to the adversely affected population and ethnic minorities who may have usufruct or customary rights to the land or other resources taken for the Project. The absence of legal title to land by such groups should not be a bar to compensation.

6) Project-affected Person (PAP) is the person affected by the project due to the land acquisition and resettlement. The PAPs may be individuals, legal persons, or families, no matter what legal status, rights, obligations, and benefits they have, or whether they have the permit to reside in the affected area. The PAPs include, therefore,

a) those project-affected persons who have full or partial, long or short authority, rights, or benefits over structures (including housings, simple structures, farming fields, arable land) or other acquired assets;

b) those project-affected persons who use the above land, structures and assets for business, residence, etc.;

c) those whose living standards are affected because of the project.

All the PAPs within the above scope have the right to increase or at least maintain their current living standards and receive compensation for their loss of assets (the asset compensation shall cover the replacement expense) and compensation for resettlement and loss of properties. Those PAPs who have no authorities, rights or permits for residence shall enjoy the same compensation and resettlement grant as those who have.

3.5 Resettlement entitlement policy

- 1) All affected assets will be compensated at their full replacement cost without any deduction for depreciation;**
- 2) Compensation payments will be made before the acquisition of land and assets;**
- 3) Compensation rates were negotiated with the governments of the affected areas and the representatives of the PAPs;**
- 4) All affected persons who lose assets occupied by them before the Project cut-off date will be assisted in their efforts to restore their standards of living without discrimination on the basis of their tenure status.**

The Entitlement Matrix for each of the impact categories is as follows:

Table 3.1 The Entitlement Matrix

impact categories	receivers	Entitlements	basis for calculating compensation	implementors
Grassland	affected grassland contractors	land compensation; income-restoring programs; rights to redress grievances	Land compensation: 10 times average annual production value per mu during the 3 years prior to acquisition	banner resettlement offices
houses and other land attachments	owners of houses and other land attachments	cash compensation; to be relocated in the original villages; free salvageable materials from the old houses; to get assistance in rebuilding and relocating; rights to redress grievances	cash payment including moving and transitional allowances at replacement cost of the demolished structures and attachments; suitable alternative sites provided by the villages	banner resettlement offices, village administrative committees
loss of infrastructure	affected utilities	cash compensation; to be restored or reconstructed; rights to redress grievances	cash payment at replacement cost of the demolished infrastructure	banner resettlement offices,
loss of other assets	owners of the affected assets	cash compensation; to be restored or reconstructed; rights to redress grievances	cash payment at replacement cost of the affected assets	banner resettlement offices,

Chapter 4 Compensation Rates and Budget

4.1 Compensation rates for the Project

According to the relevant laws and regulations, with reference to the actual conditions of the Project, and through the consultation with the local governments and the representatives of the PAPs, the compensation rates were fixed. The compensation rates to be paid for affected land, structures land other assets will not be below the levels given in the following tables and will be adjusted by the actual inflation rate from January 2004 to the time when the compensation is actually paid.

Table 4.1 Compensation rates for land

(unit: RMB/mu)

No.	item	average annual output value per mu	land compensation multiplier	total
	A	B	C	E
1	Grassland	72	10B	720

Table 4.2 Cost analysis of brick timber house

Item	unit	Consumption per unit	price	Cost	remark
			Yuan/unit	Yuan	
Main material				173.88	
1、 timber	cu.m	0.107	900	96.30	
2、 cement	kg	33	0.35	11.55	
3、 brick	no.	280	0.18	50.40	
4、 stone	cu.m	0.023	30	0.69	
5、 sand	cu.m	0.45	28	12.60	
6、 glass	cu.m	0.18	13	2.34	
Other material				13.91	8% of main material

Item	unit	Consumption per unit	price	Cost	remark
			Yuan/unit	Yuan	
Manpower				60.00	
Water, electricity, road and ground				6.67	1000 yuan for 150 square meters per household
Reserve fund				12.39	5% of main material, other material and Manpower
Total				266.85	

Table 4.3 Cost analysis of timber tile house

Item	unit	Consumption per unit	price	cost	Remark
			Yuan/unit	yuan	
Main material				66.85	
1、 timber	cu.m	0.07	900	63.00	
2、 cement	kg	3.35	0.35	1.17	
3、 brick	no.				
4、 stone	cu.m	0.02	30	0.60	
5、 sand	cu.m				
6、 glass	cu.m	0.16	13	2.08	
Other material				5.35	8% of main material
Manpower				60.00	
Water, electricity, road and ground				6.67	1000 yuan for 150 square meters per household
Reserve fund				6.61	5% of main material, other material and Manpower
total				145.48	

From the above tables it can be found that the total cost for brick timber house

and timber tile house are 266.85 yuan per square meter and 145.48 yuan per square meter separately. The indirect loss of the relocated households can be calculated at 13 yuan per square meter for brick timber house and 4.5 yuan per square meter for timber tile house. Therefore, the compensation rates for brick timber house and timber tile house can be determined at 280 yuan per square meter and 150 yuan per square meter separately.

The Compensation rates for land attachments and other assets are as follows:

Table 4.4 Compensation rates for land attachments and other assets

No.	Item	unit	rate
	A	B	C
1	brick timber houses	yuan/sq.m	280
2	timber tile houses	yuan/sq.m	150
3	Simple structures	yuan/sq.m	105
4	Walls	yuan/meter	35
5	Electrical and communication wooden poles	yuan/no.	2000
6	Electrical and communication concrete poles	yuan/no.	3000
7	Tree (under 10 cm)	yuan/no.	5
8	Tree (above 10 cm)	yuan/no.	40
9	Reticular fences	yuan/meter	2.5
10	Optical fiber cable	yuan/meter	30
11	towers	yuan/no.	80000
12	Green houses	yuan/sq.m	22.5

4.2 Temporary land occupation compensation

This temporarily land occupation compensation will be calculated according to the annual output value and occupation period based on all income and yield from their land. The agricultural labors in this requisitioned land can engage in

the Project construction or be other outgoing labors. The users should make full restoration of the temporarily used land after the temporary use expires. The contracts for temporary land use will be signed between the constructors and affected villages according to the actual amount and period of the occupation, and the corresponding compensation will be paid directly to the affected villages by the contractors. Therefore, that budget is not included in the RAP.

4.3 Basic cost

Basic compensation consists of those for land acquisition compensation, indirect losses from house demolition for a family, house demolition and removal, the sites of rebuilt buildings, leveling of the sites for new houses and courtyards, land-attached objects, and removal of infrastructures.

4.3.1 Land compensation

Land compensation is composed of compensation for dry land, forestland, grassland, allowance for house reconstruction and new sites, leveling of courtyards.

4.3.2 Standing crop compensation

There are no crops affected by the Project.

4.3.3 Compensation for House Demolition and Removal

This compensation consists of the cost in demolition and removal of houses owned by a family or a community.

4.3.4 Compensation for land attachments

The compensation is to be calculated based on the actual amount of the land attachments to be removed and compensation standards.

4.3.5 Compensation for Removal of Infrastructures

Infrastructure mainly refers to power and telecommunication facilities, which should be demolished and rebuilt by their owners. During the implementation, irrigation channels, highways and other facilities other than power and telecommunication facilities encountered should be rebuilt and restored by the owner of the Project, for which the cost will come from the physical contingencies.

4.4 Other cost

A. Training cost

Training cost is used for enhancing the capability and cultural diathesis of the affected people, and administrative ability of the resettlement personnel.

B. Cost for RAP preparation

It covers the cost in the investigations, propaganda and the compilation of RAP.

C. Monitoring and Evaluation cost

It includes the cost of both internal and external monitoring conducted by the internal and independent monitoring agencies.

D. Administrative cost

The total administrative management expenses for the resettlement offices at different level make up 5% of the basic compensation. They are used for the routine work during acquisition and resettlement, including purchase of equipment, salary and transport allowance, etc..

4.5 Contingencies

A. Physical contingencies

The total administrative management expenses for the resettlement offices at different level make up 4% of the basic compensation. They are used for the

routine work during acquisition and resettlement, including purchase of equipment, salary and transport allowance, etc..

B. Price Contingencies

Since the resettlement cost for the Project is budget according to the present average price, 15% of the basic compensations are budgeted as price contingencies.

4.6 Cost estimation of the land acquisition and resettlement of the Project

The cost estimation of the land acquisition and resettlement of the Project is 621,183 yuan, and listed as follows:

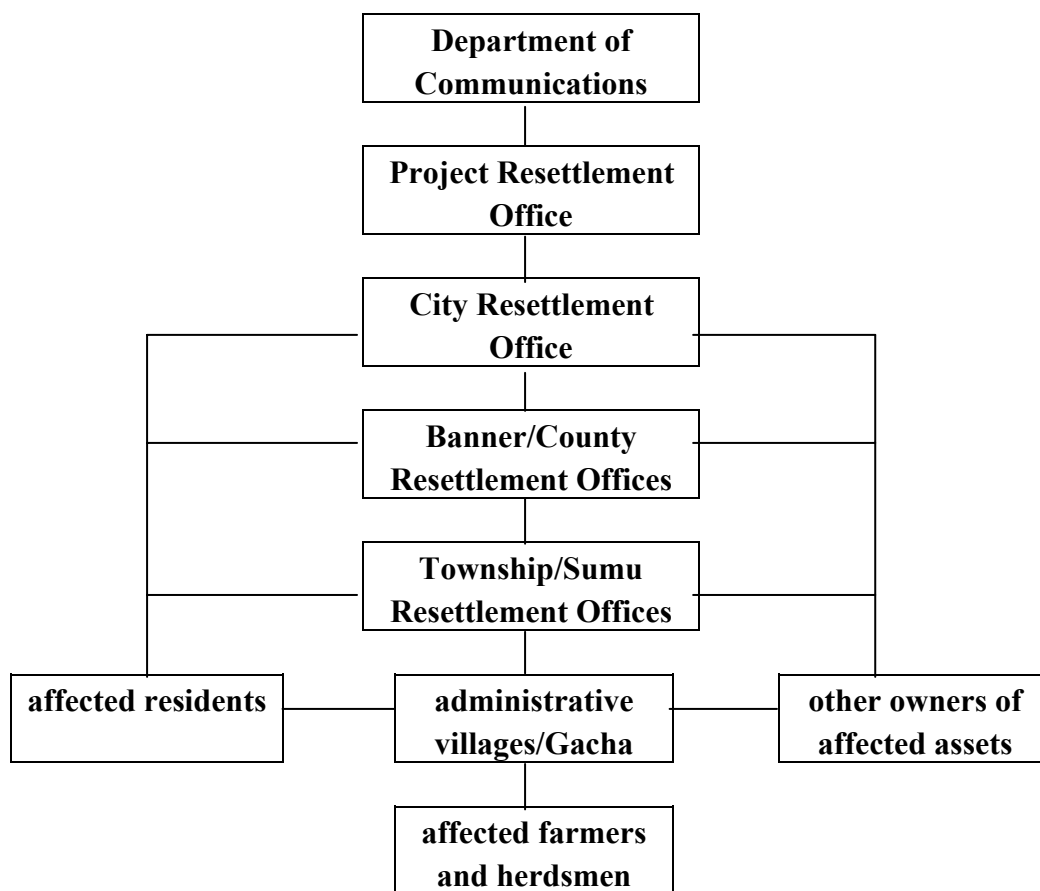
Table 4.5 The cost estimation of the land acquisition and resettlement of the Project

Item	unit	Compensation rate (yuan)	Affected amount	Compensation fee (yuan)
1. basic compensation				450133
Grassland	Mu	720	330.74	238133
Brick timber houses	Sq.m			
Timber tile houses	Sq.m			
Simple structures	Sq.m			
Walls	meter			
Electrical and communication wooden poles	no.	2000	1	2000
Electrical and communication concrete poles	no.			
Tree (under 10 cm)	no.			
Tree (above 10 cm)	no.			
Reticular fences	meter			

Item	unit	Compensation rate (yuan)	Affected amount	Compensation fee (yuan)
Optical fiber cable	meter			
Towers	no.			
Green houses	Sq.m			
Subtotal				240133
Training cost				50000
RAP preparation				60000
Internal and external monitoring cost				100000
2. Administrative cost (5% of the basic compensation)				18005
3. Contingencies				135040
(1) Physical contingencies (15% of the basic compensation)				67520
(2) Price contingencies (15% of the basic compensation)				67520
4. Other expenses (4% of the basic compensation)				18005
Total				621183

4.7 Fund flow

The total budgeted compensation for land acquisition and resettlement will come from the investment of the IMAR Government .On the basis of the compensation policies and rates given in the RAP, the Project Resettlement Office, the City Resettlement Office, the Banner/County Resettlement Offices, the Township Resettlement Offices and the Village Administrative Committees will sign compensation agreements with their subordinates, the affected units, the affected persons separately according to their jurisdiction. Payment of funds will be made timely in accordance with these agreements. The flow of funds is illustrated as follows:



Chapter 5 Resettlement and Rehabilitation Program

5.1 Guideline and principle of resettlement program

5.1.1 Objectives of resettlement program

The ultimate objective of resettlement and restoration is to ensure a restoration of life and production of the impacted individuals, enterprises and institutions in a short period of time and to raise the living standards and productivity as quickly as possible.

The resettlement program preparation was under the leadership of the local banner (county) governments. According to the actual impacts, after collecting the villagers' opinions and based on the actual conditions of each township (Sumu) and village (Gacha), the practical resettlement program was prepared. The resettlement of the Project will be implemented on the developable basic, and the resettlement host areas are provided with basic materials for people's living and at the same time have the potential for long-term development. The resettlement will be incorporated into the regional economic development so that the resettlers are able to gradually become well off and their living standards will be equal to or better than those before resettlement.

The resettlement guideline of the Project is: the resettlement work shall be conducted based on respecting the local tradition and habit in production and living, with full consideration of the willing of the resettlers. Based on that the original production and living mode will not be changed, the effort will be mainly made in resettlement procedures to develop animal husbandry by using the local land resource and exploitable natural resource in the original villages (Gacha), and concurrently to develop the secondary and tertiary industries in local area. The inhabitant resettlement shall first be based on guaranteeing the basic substance and provide possibility for long-term development. The local

land resource shall be fully utilized for development through resettlement, so as to reach the target of long-term prosperity.

5.1.2 Principle of resettlement program

A. Resettlement planning should be based on the property indexes and compensation standards to improve, or at least to restore the original production and living conditions of the resettlers.

B. The resettlement of the Project shall be combined with the regional construction, resource development, economic development and environment protection. Considering the actual local conditions, practical and feasible measure shall be worked out for restoring and developing the production and living of the resettlers case by case, meanwhile, some necessary conditions shall be created for self development of the resettlers.

C. Planning should be based on the principle "Beneficial to the production and make the life convenient".

D. Construction scale and standards of the resettlement Project should be guided by the original scale and standards. Investment should be based on the quota planning. Investment for enlarging the scale, improving standards and future planning should be treated by the local government and relative departments.

E. All factors should be taken into consideration. Benefits between the state, collectives and individuals should be dealt with properly.

F. By adopting the method of paying compensation and granting subsidies in pre-stage and production support in post-stage, fully using the local natural resources, and developing animal husbandry and related secondary and tertiary industries, efforts shall be made to guarantee the resettlers production and living level to reach or exceed the original level before resettlement.

5.2 Overall resettlement scheme

The Project will only affect a small part of houses and land of the villages (Gacha), and won't have great impact on their original production and living system. A series of consultation meetings were held among affected villages and townships. According to the resettler's opinion and suggestion, and combining with the actual condition of affected area, it was determined: Project affected persons will be resettled within their original community, so that their way of production, living and social relationship can be maintained, which will be beneficial for them to restore or improve their production and income level after resettlement.

Since the percentage of the grassland acquisition in the total contracted grassland is very small, according to the local farmers and herdsmen's options, the compensation for land will be given in cash to the affected households according to the related laws and regulations. The methods of giving the

compensation for land in cash to all the members of the affected villages after land redistribution won't be adopted. The resettlement program encourages the resettlers to engaged in original trade, create conditions for the secondary and tertiary industries, so that the environmental capacity there will be satisfied.

Relocation: housing plot, house reconstruction in the original villages.

Land acquisition: small impacts on locality, compensation will be paid in cash according to the affected people, land redistribution is not needed.

The impacts of the land acquisition and relocation on the affected villages (Gacha), and the real socio-economic situations of those villages are different, the practical resettlement program is determined according to the amount of land

acquisition and relocation.

5.2.1 Resettlement infrastructure program

Ground leveling

Because only 2 households will be relocated, there is not too much work for ground leveling. The ground will be leveled by a way of excavation of 0.5 m for brick concrete and brick timber houses. Simple ground leveling will be used for timber tile houses. The ground leveling fee has been included in the house compensation, and the ground leveling will be conducted by the resettlers themselves.

Public facilities

1. Water supply: For those who resettle in their original village have the water supply as that before.

2. Power supply: The capacity of existing power facilities for each village can meet demands after resettlement. The line distance for each host site to connect is about 50-200m and resettlers can have power supply by a 220V line to connect it.

The cost for water and electricity has been included in the house reconstruction expenses, so those fees come from house compensation.

3. Road and access to outside:

The host sites are chosen nearby, which solve the problems on access and also meet requirements of resettlers.

5.2.2 Facilities for social service

The resettlers and villagers affected by the Project can share the service from original schools, clinic and commercial nets, since no such facilities will be demolished duo to the Project, and no new ones are required. The distances

between the affected residents' houses and the facilities won't change a lot.

5.2.3 Administrative management of resettlers

Since no people will be relocated out of the original villages, the administrative management keeps as that before. They are still under the leadership of original townships (Sumu) and villages (Gacha).

The building of resettlers' houses shall take account of their habits and suitable for agricultural requirements and also have some space for development in the future. The houses can be dismantled and built by themselves according their own thought. The house compensation is based on the house structure and area and at replacement cost. The compensation will be paid in stages according to progress of materials preparation and construction. Since the affected resettlers are relocated in the original communities, the distances between their new house sites and old house sites are within 500 meter. Besides, usually the new houses will be built before the old houses are demolished, therefore, no temporary houses are required.

5.2.4 Implementation origination of resettlement

The resettlement program shall be implemented by the Project Resettlement Office with personnel from the relative authorities under leadership of Project Resettlement Leading Group. Their responsibilities are to work out the resettlement policies, and give propaganda, mobilization, organization and implementation of resettlement. Also, the office is a main channel for resettlers to propose their issues. The office shall collect comments from resettlers in time and fully, report it to authorities at above level and relative authorities and return the respondents to resettlers in time.

5.3 Housing reconstruction

Housing reconstruction refers to the construction of the impacted people's

residences and other buildings.

Of all the compensation for impacted houses, 50% of it should be paid before the impacted people start building their houses, another remaining 50% should be paid when the reconstruction has been half finished.

5.3.1 Implementation of the Schedule

1. The above control time has been determined according to the construction plan. Therefore, if there is any change in preparation time, the control time should be adjusted based on extensive consultation with the impacted families so as to ensure that they will have three months of removal time and three months for the reconstruction of their houses before the start of construction of the Project.

2. Before the completion of reconstruction, the impacted people may stay in their old houses, and will not be forced to move out of them.

5.3.2 Selection of Construction Sites

The selected sites should be determined through consultation with the impacted households. Measures will be taken for the impacted families to be resettled in their own villages “sparsely” because resettlement centers will not be provided.

The sites of construction should meet the following requirements:

1. The sites still belong to the original communities, (if the impacted families are willing to resettle there), which will be easy for them to adapt to.

2. There should be an adequate sanitary environment in the sites, being convenient to live in.

3. The suggestion for the sites will be made for the families to choose from, and

it will not be against their willingness.

4. The desires of the people to be resettled will be considered.

The unoccupied land in a village should be used as the reconstruction sites wherever it is possible. Documents for reconstruction on such sites should be obtained by the village committee from the land administration and building planning authorities. If cultivated land is to be used, approval documents from a county level government are needed.

5.4 Aids to the vulnerable groups

The vulnerable groups include the poor households, the households having the disabled members, the households headed by the women, and the households where the aged live alone. They can get the following aids.

1. Manual aids: workers for reconstruction and removal will be provided by the village.
2. They can choose the construction sites and fields to be redistributed preferentially.

5.5 Infrastructure facility restoration

The infrastructure facilities impacted are mainly power, telecommunication, water conservancy and transportation facilities. For these facilities, resettlement offices will make compensation based on the repurchase price through extensive consultation with the authorities concerned. The owners of the facilities will be in charge of the restoration and will work out the schedules for restoration before the removal. The restoration should be completed in the shortest possible time so as to ensure the normal life of the local people. Special attention should be paid

to those facilities of national importance.

5.6 Rehabilitation measures

Since the percentage of the grassland acquisition in the total contracted grassland is very small, according to the local farmers and herdsmen's options, the compensation for land will be given in cash to the affected households. After land measure and detailed measure survey, the City Resettlement Office and Banner (County) Offices will open an account for each affected household according to the name and total compensation in the name list of the household affected by land acquisition, and then they go to every banner (county) to give the bankbook to each affected household directly. It is not needed to redistribute land after the cash is paid. In order that the people's living standards can be restored and raised in the shortest period of time, land compensation and resettlement allowance must be used scientifically. Land compensation and resettlement subsidy should be mainly invested to:

1. Improve the conditions of animal husbandry

The conditions of animal husbandry are the key factors influencing the efficiency of animal husbandry production. In view of the present animal husbandry situation, the production is of coarse and open type, with less scientific and technological value as well as low efficiency. To introduce fine varieties of livestock is one of the ways to improve the animal husbandry conditions and boost the output, and to increase the farmers and herdsmen' income with land compensation and resettlement subsidy.

2. Reinforce education in agricultural and animal husbandry science and technology, enhance the capability of labor force

The educational level of the labor force along the highway is low, two thirds of which have got at most middle school education. It is evident that the labor force lacks knowledge of science and technology. In order to boost the agriculture and

animal husbandry, knowledge of science and technology of the labor force need to be improved at first, and attention should be paid to train skilful farmers.

3. Expend and develop medium or small scaled enterprises with good market and small risk according the local environment

Local resources and animal husbandry can be used to develop medium or small-scaled enterprises in rural area, so as to boost the harmonious development in agriculture, industry and trade. This can not only made use of the surplus labor force, but also raise the farmers and herdsmen's living standards directly. Through extensive investigation on such aspects as raw materials, market potential and production efficiency, investment should be concentrated on medium or small-scaled enterprises with small risks but fast return of investment.

4. Seize the chance of the Project to mobilize the economy

Because the design standards of the Project are generally high, and a large amount of stone, sand, earth and timber for the subgrade will be needed, while there are a numbers of quarries, sand stores, and a plenty of timber along the highway, the townships or villages along the highway can make a good compatible planning according to the requirement of construction on transportation of materials such as stone, sand and earth, and manual service or other aspects. Meanwhile, they can make use of the existing cement factories, quarries, or other building material enterprises to increase the production scale, adjust the structures of products, and to produce the necessary construction materials so as to raise the efficiency of the enterprises.

In the case of using local resources and giving priority of labor service to the impacted farmers, everything in the villages should be arranged uniformly in a township base and the coordination between the contractor and the owner should be well adjusted before construction. Under equal conditions, the contractor will give preferential consideration to the impacted villages, which

will be determined in the form of agreements.

Based on the above measures, before the allocation of compensation, each village must instruct the affected households to use appropriately the land compensation and resettlement subsidy for the production purpose. The Project Resettlement Office will monitor the investment and its return in the course of the use of compensation.

5.7 Resettlement activities and implementation schedule

In order to ensure all the PAPs and can be properly resettled, all resettlement implementation activities will be started in May 2004, and completed at least one month before initiation of the civil construction of the Project (the end of March 2005).

The following table describes the monthly implementation schedule of the land acquisition and resettlement.

The action plan is divided into three stages such as (1) preparation, (2) implementation and (3) inspection and evaluation (the internal and external monitoring is throughout the whole process). See the monthly implementation schedule for land acquisition and resettlement.

Preparation stage (May 2004 ~ October 2004)

- 1. Set up resettlement offices at each banner/county, which will be sponsored by the Project Resettlement Office.**
- 2. Carry out extensive propaganda through such mediums as newspaper, radio, television and notice, etc., to get the understanding and support from the impacted individuals, units, and whole society. The work will be undertaken by the Project Resettlement Office.**

Table 5.1 Monthly Implementation Schedule for Land Acquisition and Resettlement

Work contents 工作内容		2004								2005				
		5	6	7	8	9	10	11	12	1	2	3	4	
Preparation stage 准备阶段	1	Set up organizations 成立组织机构	█											
	2	Inform about policies 宣传教育群众	█	█	█	█								
	3	Carry on survey 埋设占地界桩			█	█								
	4	Check on site 现场丈量校核			█	█	█	█	█					
Implementation stage 实施阶段	1	Sign agreements 签订征迁协议					█	█						
	2	Apply for approval of land acquisition 申办土地征迁批文					█	█	█	█	█			
	3	Pay house compensations 支付房屋补偿费					█	█	█	█	█			
	4	Build new houses 修建迁移户新房					█	█	█					
	5	Pay land compensations 支付土地补偿费					█	█	█	█	█	█		
	6	Job creation 征地安置					█	█	█	█	█	█		
	7	Pay other allowances 支付其它各种补偿费					█	█	█	█	█	█		
	8	Remove houses and transfer land 拆除旧房, 移交土地					█	█	█	█	█	█		
Inspection stage 检查阶段		Inspect resettlement situation and solve problems left over 检查安置情况, 解决遗留问题								█	█	█	█	

3. Set up boundary poles. The boundary of land for construction should be marked permanently with poles, whose survey and erection will be jointly carried out by the Project Resettlement Office and local resettlement offices along the highway.

Implementation stage (September 2004~February 2005)

1. Representing the Government of the IMAR, the Project Office will sign the resettlement agreements with every banner/county government, and the latter will do so with every township (Sumu) government, which then do so again with the villages (Gacha), which will do so with the villagers.

2. The Project Resettlement Office will submit the approval document of land acquisition and resettlement to the higher authorities.

3. The Project Resettlement Office will allocate lawsuit allowance to every banner/county via the bank.

4. Construction sites for buildings will be chosen, their structure types be determined, and their construction be started, which will be jointly carried out by banner/county and township (Sumu) governments, and individuals.

5. Banner/County governments will allocate the compensation to enterprises and townships (Sumu) via the banks.

6. Banner/County and township (Sumu) governments will allocate land acquisition and resettlement compensation to the affected people.

7. The impacted will move to the new dwellings, and then have the original ones demolished. Banner/County and township (Sumu) governments will be responsible for demolishing the land attachments, and handing over the land to the constructors.

Monitoring stage (December 2004~December 2006)

- 1. Internal monitoring: it will be undertaken throughout the process, i.e. from the beginning of land acquisition/resettlement to the time one year after the completion of Project. The resettlement offices of each section of the highway and the Project Resettlement Office will accomplish the routine inspection and surveillance to ensure that the work has been carried out as specified in the RAP.**

- 2. External monitoring: first the socio-economic baseline survey will be carried out. After that, the monitoring will be carried on as stipulated in the RAP until one year after the completion of the Project. During this period, the external monitoring institute will carry out a socio-economic investigation so as to determine the impact of the Project on the income and living standards of the people involved. External monitoring will be carried out twice a year on the average.**

Resettlement work must be completed at least one month before the start of civil engineering construction, which won't start until the following work has been finished.

- 1) Compensations for all the affected individuals and enterprises have been paid according to the substituting value;**
- 2) Reconstruction of houses for the resettled and enterprises have been completed, and the affected people have moved into their new houses;**
- 3) Various subsidies have been distributed to the affected people;**
- 4) Construction of infrastructure facilities on the new sites has been fully prepared.**

5.8 Resettlement implementation plan

5.8.1 Implementation procedures

Land acquisition and compensation

The land acquisition and compensation will be completed under the coordination with relative organizations, the typical procedures refer to as followings:

- a. The design institute is in charges of the preparation of the applicable drawings for permission of the land acquisition. On these drawings shall be defined the scales and areas of the land acquisition and houses removal.
- b. The Project Resettlement Office will apply for planning license and red-line map to planning departments, and apply for approval to land administration bureau;
- c. Application for land acquisition approval;
- d. All matters concerned about land acquisition compensation, signing the compensation agreements for land acquisition will be charged by the Project Resettlement Office in consultation with the land administrative departments;
- e. The acquisition range and areas shall be defined by the special staff designated to the site by the banner (county) land administration bureaus, relevant townships (Sumu) and villages (Gacha);
- f. The banner (county) land administration bureaus will sign the Land Acquisition Agreement with relevant townships (Sumu) and villages (Gacha);
- g. Transferring the compensation fees;
- h. Legal formalities;
- i. Project land acquisition.

House relocation and reconstruction

The procedures for house relocation and resettlement will be implemented as follows: (The work at preparation stage has been finished)

- a. The design institute will submit the impacted house scales;
- b. Investigation for houses quantities and qualities will be carried by the banner (county) resettlement offices coordinated with related townships (Sumu) and villages (Gacha);

- c. The banner (county) resettlement offices are in charges of compensation standards of the houses and its appendages, and sign compensation agreements for houses relocation in consultation with related townships (Sumu) and villages (Gacha);
- d. The banners (counties), townships (Sumu) and villages (Gacha) will sign the compensation agreements with the affected households.
- e. The townships (Sumu) and villages (Gacha) for collection of the households' views should issue the relative compensation standards, removal time and quantities of the houses relocated;
- f. Sign the house relocation agreements between the townships (Sumu), villages (Gacha), and households;
- g. The townships (Sumu) and villages (Gacha) are responsible for allocation of the new housing plot to the resettlers;
- h. The resettlers will receive the compensation fees;
- i. The resettlers will build the new houses and move in;
- j. Removal of the old houses.

Restoration of special facilities

It is described as follows:

- a. The design unit will propose the influence scope of each special facility;
- b. The Project Resettlement Office, together with relevant government departments, will investigate into the grades and quantity of affected special facilities;
- c. The Project Resettlement Office will entrust respective departments to prepare the removal and reconstruction scheme according to resettlement program;
- d. The Project Resettlement Office will negotiate the compensation standards with respective departments, and sign the compensation agreements on restoration of special facilities;
- e. The Project Resettlement Office will entrust respective departments to carry out the reconstruction of special facilities;

f. Each special facility will be put into operation.

5.8.2 Progress planning

The progress for land acquisition and resettlement on the basis of Project construction will be controlled according to the following principles:

- 1. The old houses will be demolished gradually, but the demolishing should be finished before the commencement of the civil construction in the sections where the old houses are located.**

- 2. Three months before the houses removal, the notice for houses removal shall be sent to resettlers, prior to the final limited date, at least four months shall be left for resettlers' to build their new houses, and before the new houses completed, the resettlers have the right to stay in their old houses.**

- 3. The relative authorities shall fully consult with the resettlers about the house built time and this time shall be prolonged, if necessary.**

- 4. The land acquisition shall be completed before the civil construction of the Project.**

- 5. Construction of the special facilities and infrastructures shall be completed before the construction of the Project or house relocation.**

Chapter 6 Institutional Arrangements

6.1 Establishment of the resettlement agencies

To strengthen the coordination and management, and improve the institutional system of the land acquisition and resettlement of the Project, the following special agencies will be set up:

- ◆ **The ProjectResettlementLeadingGroup**
- ◆ **The ProjectResettlementOffice**
- ◆ **The CityResettlementLeadingGroup**
- ◆ **The CityResettlementOffice**
- ◆ **The Banner/CountyLeadingGroups**
- ◆ **The Banner/CountyResettlementOffices**
- ◆ **The Township(Sumu)ResettlementWorkingTeams**

Other agencies concerning the land acquisition and resettlement are:

- ◆ **The IMAR Planning Committee**
- ◆ **The IMAR Department of Finance**
- ◆ **The IMAR Communications Department**
- ◆ **The IMAR Bureau of Land Administration**
- ◆ **The IMAR Communications Department Capital Introduction Office**
- ◆ **The independent monitoring institution**
- ◆ **The city government and its departments of finance, communications and land administration in the affected areas**
- ◆ **The banner/county governments and their departments of finance, communications and land administration in the affected areas**
- ◆ **The township (Sumu)governments and their department of land administration in the affected areas**

- ◆ **The village administrative committees (Gacha) in the affected areas**

6.2 Staffing of the special agencies

1. The Project Resettlement Leading Group

It is composed of the leaders from the Planning Committee, the Department of Finance, the Communications Department, the Bureau of Land Administration, the Project Office and the relevant city. The vice-chairman of the IMAR in charge of communications is the head of the Project Resettlement Leading Group.

2. The Project Resettlement Office

It is composed of the specialized personnel in charge of the land acquisition and resettlement from the Planning Committee, the Department of Finance, the Communications Department, the Bureau of Land Administration, the Project Office and the relevant city. The director of the Project Office is the head of the Project Resettlement Office.

3. The City Resettlement Leading Group

It is composed of the leaders from the Hulun Buir Department of Communications, Planning Committee, Department of Finance, Bureau of Land Administration and other relevant departments. The vice-mayor of Hulun Buir City in charge of communications is the head of the City Resettlement Leading Group.

4. The City Resettlement Office

It is composed of the specialized personnel in charge of the land acquisition and resettlement from the Hulun Buir Department of Communications, Planning Committee, Department of Finance, Bureau of Land Administration and other relevant departments. The leader of the Hulun Buir Department of Communications in charge of communications is the head of the City

Resettlement Office.

5. The Banner/County Resettlement Leading Groups

They are composed of the leaders from the Banner/County's Departments of Finance, Departments of Communications, Bureaus of Land Administration and other relevant departments. The directors of the banners/counties in charge of communications are the heads of the Banner/County Resettlement Leading Groups.

6. The Banner/County Resettlement Offices

They are composed of the specialized personnel in charge of the land acquisition and resettlement from the Banner/County's Departments of Finance, Departments of Communications, Bureaus of Land Administration and other relevant departments. The leaders of the relevant Banner/County's Departments of Communications are the heads of the Banner/County Resettlement Offices.

7. The Township (Sumu) Resettlement Working Teams

They are composed of the specialized personnel in charge of the land acquisition and resettlement from the township (Sumu) governments and the township (Sumu) offices of land administration. The leaders of the relevant townships (Sumu) are the heads of the Township (Sumu) Resettlement Working Teams.

6.3 Responsibilities of the agencies

1. The Project Resettlement Leading Group

- A. Define the job division and coordinate among various agencies;**
- B. Review and discuss the internal monitoring reports submitted by the Project Resettlement Office;**
- C. Review and discuss the independent reports submitted by various implementation agencies and the relevant departments.**

2. The IMAR Communications Department Capital Introduction Office

- A. Conduct the census of the affected people and assets;**
- B. Organize the compilation of the RAP;**
- C. Make the preparatory arrangements of the land acquisition and resettlement according to the provisions of the RAP and after the establishment of the Project Resettlement Office, devolve the routine work to the Project Resettlement Office.**

3. The Project Resettlement Office

- A. Cooperate with the IMAR Communications Department Capital Introduction Office in preparing the RAP;**
- B. Apply for the Construction Land Use Certificate to the relevant authorities;**
- C. Train the staff of the subsidiary resettlement offices;**
- D. Sign the resettlement contracts with the City Resettlement Office;**
- E. Pay compensation and coordinate the implementation of the land acquisition and resettlement;**
- F. Undertake the internal monitoring activities;**
- G. Suggest solutions for handling problems identified in monitoring the implementation;**
- H. Report to the Project Resettlement Leading Group on work progress, the problems and remedial measures regularly.**

4. The City Resettlement Leading Group and Office

- A. Cooperate with the relevant agencies in making the census and surveys;**
- B. Train the staff of the subsidiary resettlement offices;**
- C. Implement the RAP;**
- D. Receive the resettlement funds from the Project Resettlement Office and allocate them to the Banner/County Resettlement Offices;**
- E. Guide and supervise the land acquisition and resettlement work in relevant banners/counties;**
- F. Report to the Project Resettlement Office on work progress, the problems and remedial measures regularly.**

5. The Banner/County Resettlement Leading Groups and Offices

- A. Cooperate with the relevant agencies in making the census and surveys;**
- B. Train the staff of the subsidiary resettlement offices;**
- C. Implement the RAP;**
- D. Receive the resettlement funds from the City Resettlement Office and allocate them to the PAPs according to the working procedures;**
- E. Guide and supervise the land acquisition and resettlement work in relevant townships and villages;**
- F. Report to the City Resettlement Office on work progress, the problems and remedial measures regularly.**

6. The Township (Sumu) Resettlement Working Teams and the Village (Gacha) Administrative Committees

- A. Cooperate with the relevant agencies in making the census and surveys;**
- B. Assigned by the Banner/County Resettlement Offices, carry out the land acquisition and resettlement within their jurisdictions;**
- C. Examine and record all resettlement activity within their jurisdictions;**
- D. Report to the Banner/County Resettlement Offices on work progress, the problems and remedial measures regularly.**

7. Internal and external monitoring agencies

For details of the internal and external monitoring agencies, please refer to Chapter 9 of the RAP.

6.4 Training and development of the resettlement staff

Objectives

The training program is intended to train the administrative personnel and technicians concerning the resettlement of the Project so that they can acquire the knowledge of land acquisition and resettlement to ensure the fulfillment of

the RAP.

Trainees

According to their responsibilities, the trainees fall into the following two groups.

Administrative personnel: they consist of high-level administrative personnel, who are to be trained to be able to handle the issues and emergent situations in land acquisition and resettlement. There are 10 persons altogether, with 3 from the Project Resettlement Office; 1, from external monitoring agency; and 3, from each banner/county; 3, from the city. They are to be trained to learn the new methods and management experience from the advanced countries and to introduce them to all the personnel in charge of land acquisition and resettlement work.

Working staff: They are to be trained to have a sound knowledge of environmental protection and the Project and to cooperate with the other authorities so as to ensure the fulfillment of the Project.

Methodology

The training program is divided into two parts. For the first one, training seminars for high-level administrative personnel are held in Hohhot City and sponsored by the Project Office, with lectures given by the senior staff from the World Bank, government officials and experts; for the second one, training seminars are held in each banner/county for the working staff and sponsored by each banner/county resettlement offices, under the guidance of directors from the Project Resettlement Office.

Contents

- ◆ General description and background of the Project
- ◆ Relevant laws and regulations concerned
- ◆ RAP

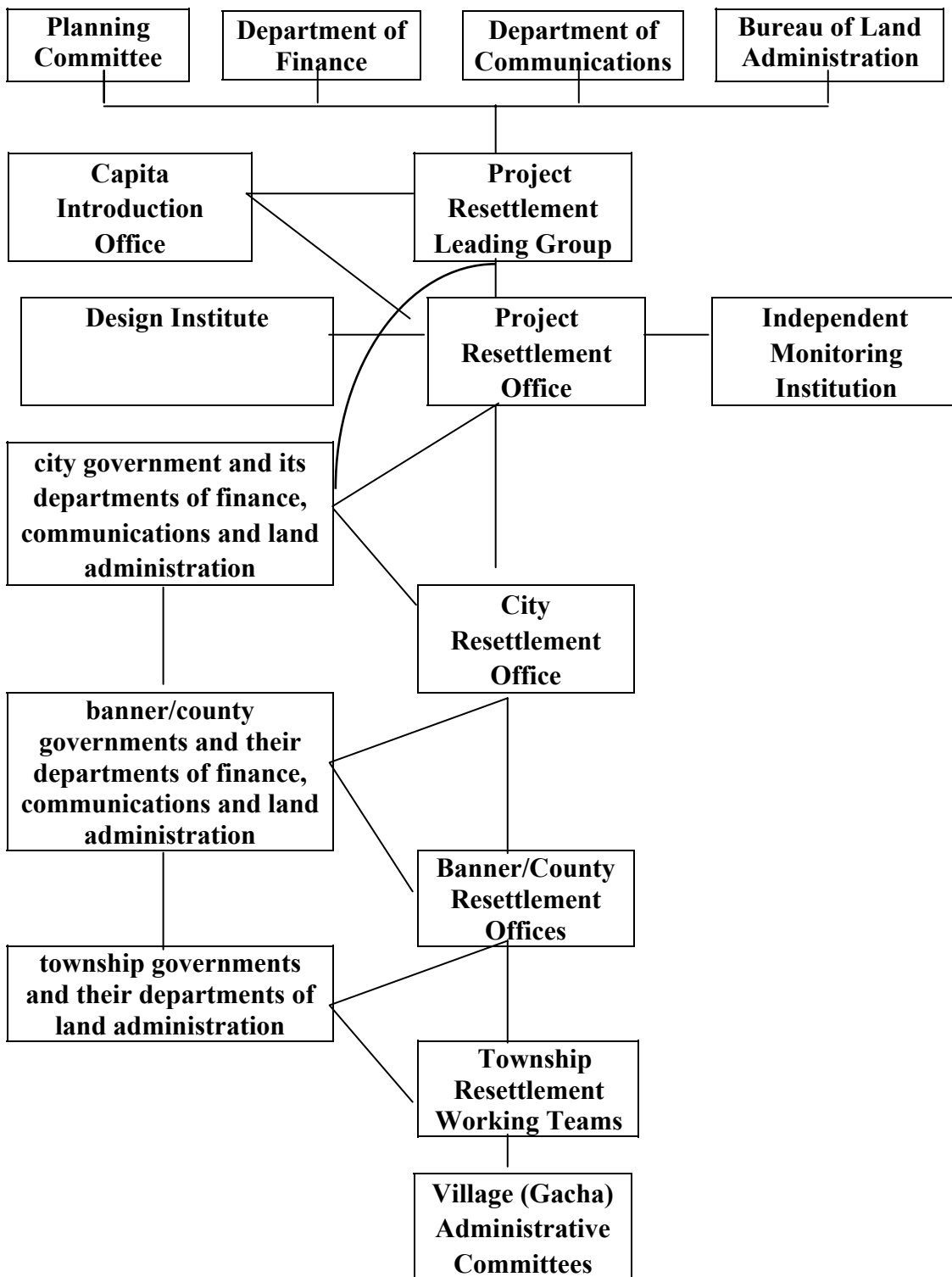
- ◆ **Procedures of management and reporting**
- ◆ **Management of expenses**
- ◆ **Index control**
- ◆ **Acceptance of complaints**

Cost

The training of 3 administrative personnel costs 30,000 yuan, with 10,000 yuan for each; the training of other working staff costs 20,000 yuan. The cost totals 50,000 yuan.

6.5 Organizational chart

The following chart illustrates all the agencies involved in the land acquisition and resettlement of the Project:



Chapter 7 Consultation and Participation

7.1 Consultations and participation

The RAP of the Project has been prepared through the active participation of the PAPs. The participation began with the dissemination of the resettlement information on the Project to the PAPs. As early as the engineering feasibility study and the preliminary design for the Project, the route alignment scheme was decided through the solicitation of the PAPs' opinions. It is designed that detailed information dissemination meetings will be held after the Construction Land Use Certificate is obtained.

During the course of the preparation of the RAP, the PAPs have participated in the following activities:

- 1. The Project impacts on people and assets were decided through the census. The local governments and the representatives of the PAPs participated in the census.**
- 2. The socio-economic survey has been carried out with participation of the PAPs and the representatives of the affected areas.**
- 3. In the course of designing the entitlement policies and compensation rates, and implementation program, the PAPs' suggestions and options were fully considered.**

During the course of implementing and monitoring the land acquisition and resettlement, the PAPs and their representatives will participate in the following activities.

1. The affected residents will select their new housing sites.
2. The affected residents will construction their new houses according to the building plans chosen by themselves.
3. The PAPs can find out the entitlement policies and implementation progress from the organizations concerned.
4. The PAPs can raise their opinions and suggestions on the resettlement to the agencies concerned.

After the implementation of the land acquisition and resettlement, the PAPs and their representatives will participate in the following activities.

1. The PAPs can make the suggestions of improving the facilities and infrastructures in their communities so as to harmonize with the new environment as soon as possible.
2. The PAPs will participate in the socio-economic impact survey carried out by the independent monitoring institution, and put forward their satisfaction degree on various aspects of the resettlement and their problems in rehabilitation of living standards so that the agencies concerned can do their best to solve various difficulties of the PAPs.

7.2 Resettlement information dissemination

In order to improve the work on disclosure of resettlement information and keep affected people well informed, the Project owner will publish announcement on the newspapers in the affected areas. The announcement will tell the PAPs that they can go to the banner/county public library to review the full RAP, including the Project introduction, resettlement policy and compensation standards.

7.3 Resettlement Information Booklets

To ensure that the PAPs understand the details of the resettlement program, the Resettlement Information Booklets (RIBs) will be prepared. The RIBs will contain the following items:

- ◆ Brief description of the Project;
- ◆ Project-affected areas;
- ◆ Compensation rates and policy;
- ◆ Resettlement policy;
- ◆ Entitlements of the PAPs;
- ◆ Agencies responsible for resettlement;
- ◆ Favorable policy for vulnerable groups;
- ◆ Grievance appeals procedures;

The RIBs will be distributed to the affected households, township resettlement offices, village administrative committees as soon as the World Bank Appraisal Mission approves the Project.

Chapter 8 Redress of Grievances

Since the entire resettlement and rehabilitation program is being carried out with the participation and consultation of the PAPs, it is expected that no major grievance issue will arise. However, to ensure that the PAPs have avenues for redressing their grievances related to any aspect of the land acquisition and resettlement, the detailed procedures of redress of grievances have been established for the Project.

The procedures

Stage 1

If any person is aggrieved by any aspect of the resettlement and rehabilitation program, he can lodge an oral or written grievance with the following agencies:

- 1. The Village Administrative Committee**
- 2. The Township Resettlement Office**

In case an oral complaint is made, it will be written on paper by the receiving unit. The above issue will be resolved within 15 days.

Stage 2

If the aggrieved person is not satisfied with the decision of the village administrative committee or the Township Resettlement Office, he can bring the complaint to the attention of the Banner/County Resettlement Office within 1 month from the date of the receipt of such decision. The above issues will be resolved within 15 days.

Stage 3

If the aggrieved person is not satisfied with the decision of the Banner/County Resettlement Office, he can bring the complaint to the attention of the City Resettlement Office within 1 month from the date of the receipt of such decision. The above issues will be resolved within 15 days.

Stage 4

If the aggrieved person is not satisfied with the decision of the City Resettlement Office or the aggrieved complaint is not responded within 15 days, he can bring the complaint to the attention of the Project Resettlement Office within 3 months from the date of the original record. The Project Resettlement Office will reach a decision on the complaint within 1 month.

Stage 5

If the aggrieved person is dissatisfied with the decision, he can appeal to the People's Court in accordance with the "Civil Procedure Act" within 15 days of receiving the decision of the Project Resettlement Office.

Aggrieved Aspects

PAPs can make an appeal on any aspect of the land acquisition and resettlement, including the compensation being offered.

Detailed procedures for redress of grievances and the appeal process are publicized among the PAPs by distributing RIBs.

In spite of the above procedures established for redressing grievances, in case any conflicts arise regarding the land acquisition and resettlement, the conflicting parties will first negotiate and mediate the case in cooperative effort. The above appealing procedures will be employed only when the mutual negotiation mediation fails.

Chapter 9 Internal and External Monitoring

To ensure that the implementation of the land acquisition and resettlement is carried out in accordance with the relevant requirements of the RAP and to guarantee the progress and quality of the resettlement action, the resettlement action will be monitored and evaluated both internally and externally during the preparatory arrangements and the implementation, and after the completion.

9.1 Internal monitoring

The Project Resettlement Office (PRO) will undertake the routine internal monitoring and evaluation of the implementation of the land acquisition and resettlement so as to ensure that all the responsible units follow the schedule and comply with the principles of the RAP.

Objectives

The objective of the internal monitoring is to monitor the implementation of the whole RAP for the Project.

Responsibility

- 1. To ensure the implementation of the specific provisions of the Resettlement Action Plan;**
- 2. Monitor the progress of various jobs regularly so as to identify and timely solve problems and to further ensure that the resettlement be completed in line with the schedule.**

Indicators to be monitored

- 1. Payment of Compensation to the PAPs and the affected units according to the compensation rates described in the RAP;**

2. The determination of the new housing sites and building plans in consideration of the affected residents' options. The number of households finishing building new houses at the scheduled time will be recorded. In order to compare the conditions of the old and new houses, the houses to be removed will be registered which will be kept in the file records of the Project;
3. Rehabilitation of the affected infrastructure;
4. Redistribute the cultivated land within the affected administrative villages, and use the land compensation and resettlement subsidy to develop their collective economy.

Personnel

The Project Resettlement Office will be responsible for the internal monitoring activities. They will collect information from the departments concerned once every 3 months and fill the information in the relevant tables. On the basis of such information collection, the database of monitored data and information can be set up at the Project Resettlement Office and renewed every 3 months.

Methodology & Procedure

1. Identify the major indicators to be monitored, and formulate corresponding tables for the departments concerned to fill in every month or season;
2. Carry out the sampling verification to examine the correctness of the filled tables;
3. Convene regular meetings to report on progress of the resettlement, and supervise the progress of implementation;
4. Pay visit to the Project sites irregularly so as to appraise the progress of the

on-site jobs;

5. Set up the system of regular report.

Report

The internal monitoring reports will be prepared every 6 months according to the data and information obtained from the survey tables. The reports will be submitted to the Project Resettlement Leading Group.

The Project Resettlement Leading Group will convene to discuss the internal monitoring reports after they are submitted. The Project Resettlement Leading Group will identify those parts where the implementation of the resettlement is too slow or inadequate according to the resettlement and rehabilitation program.

The internal monitoring reports will be submitted to the Project Resettlement Leading Group and the World Bank once every 6 months by the Project Resettlement Office.

9.2 External monitoring

In order to ensure the proper implementation of resettlement, the Economic Development and Cooperation Institute of Donghua University (hereinafter referred to as “the Institute”) has been entrusted as the external agency for independent monitoring and evaluation of the land acquisition, resettlement and rehabilitation activities of the Project.

The Institute has conducted the RAP preparation consultation and resettlement monitoring for the World Bank-financed IMAR Tri-provincial Highway Project, and resettlement monitoring for the World Bank-financed IMAR Expressway Project (Laoyemiao to Jining). The consultation project leader is a resettlement specialist acceptable to the World Bank, has been engaged by the World Bank as

a resettlement consultant for more than 10 World Bank-financed projects, and has also been entrusted by the project owners to take charge of the RAP preparation consultation and resettlement monitoring for other more than 10 World Bank-financed projects.

Now the Institute has organized a project team for independent monitoring and evaluation of the land acquisition and resettlement of the Project.

Objective

Looking at the overall implementation from a broader, long term point of view, the Institute, as the independent monitoring and evaluation agency for the Project, will follow the resettlement activities to evaluate whether the goals of resettlement are achieved through:

1. Compliance with the specific provisions of the Resettlement Action Plan;
2. Improvement in the standards of living of the PAPs or at least maintenance of the pre-project levels of well-being.

Responsibilities

1. Before implementation of the RAP, verify the census result and engage in the socio-economic baseline survey on the PAPs including their standards of living;
2. During implementation of the RAP, conduct the overall monitoring of the RAP and raise suggestions on improving the implementation;
3. After implementation of the RAP, survey and evaluate the socio-economic influence of the Project.

Indicators to be monitored

In addition to the above-mentioned indicators, the Institute will also monitor and

evaluate the following indicators:

1. Payment of compensation

A. Pay sufficient compensation to all the PAPs and affected units and enterprises one month before the civil construction of the Project begins;

B. Monitor and make detailed record of the type, rate, amount, date and payee of the compensation;

2. Linkage between the land acquisition, resettlement and the civil works construction of the Project

Land acquisition and resettlement will be finished at least 1 month before the initiation of civil construction of the Project;

3. Rehabilitation of Infrastructures

A. All the necessary infrastructures will at least be rehabilitated to their pre-acquisition level;

B. The compensation for the infrastructures will be adequate for reconstructing it to the pre-acquisition level in quality;

4. Provision of Housing

A. The PAPs will be provided with the new housing sites in accordance with their choice;

B. The PAPs must move into the new houses 1 month prior to the civil construction of the Project;

C. The compensation payment for self-constructed houses will be formulated in compliance with the criteria and features of the construction equivalent to the reconstruction cost of the house in spite of the depreciation and the value of the usable material of the old houses;

D. Monitor and make detailed records of the PAPs specific requirements on moving into the new houses, date of the moving and general resettlement of housing;

E. The PAPs will obtain the resettlement compensation, transitional subsidy and award, etc. which they are entitled;

5. Satisfaction Degrees of the PAPs

A. The PAPs' satisfaction degree and concrete opinions on various aspects of the resettlement program;

B. The mechanism and speed of handling conflicts;

6. Living Standards of the PAPs

Living standards surveys will be carried out on the PAPs and a control group. The survey will employ the combination of stratum sampling and group random sampling so as to identify and report the potential problems in rehabilitation of living standards. The general socio-economic survey and analysis will be conducted about 1 year after the land acquisition and resettlement is completed and report in written form the living standard and conditions of the PAPs after their resettlement so as to evaluate the actual impact of the implementation of the RAP on the living standard of the PAPs.

Methodology

1. Questionnaire in depth interviews and observational methods will be employed in the survey. The investigating staff, who have received systematic training, will make the on-the-spot investigation, talk with the PAPs so as to be informed of their ideas on various problems and therefore conduct the monitoring and evaluation of the Project from various angles and a wider viewpoint;

2. 100% of the affected administrative villages and 20% of the directly affected households will be investigated in monitoring the implementation of the RAP;

3. Data and information will be collected by the following methods:

A. Apply questionnaires to the relevant villages, units, and households to be

answered by individuals;

B. Direct visit will be paid to the affected people and units;

C. Groups on special problems will be organized so as to identify such problems as the eligible old PAPs, women, children, affected units and enterprises, etc. Investigation on such specific subjects will be made at least every 6 months and reports submitted accordingly;

4. The collected data and information will be analyzed according to the affected areas, resettlement site, time and types of the influence, compensation level, duration of the resettlement, etc.;

5. The Institute will maintain a database, which are composed with the data and information collected for various reports. Every Project-affected household and enterprise will have a separate record in the database which will be continuously renewed according to the latest information.

Report

The Institute will compile reports of monitoring and evaluation every 6 months after the implementation of the RAP begin. The report will compose of a quantitative part (in order to verify the data and information provided in the internal monitoring report) and a qualitative part (see the above). The report will be submitted to the Project Resettlement Leading Group and the World Bank on April 30 and October 31 every year. To be more specific, the report will consist of the following 5 parts:

1. Verify the implementation of the RAP;

2. Review whether the compensation, resettlement, and rehabilitation have met the major objectives stipulated in the RAP;

3. Report the participation and satisfaction degree of the PAPs on the

resettlement program;

4. Identify the main problems in carrying out the RAP and raise suggestions on solving problems and improve the overall efficiency of the land acquisition and resettlement program;

5. Report the actions taken by the departments concerned as suggested in the last report.

The Project Resettlement Leading Group will convene a meeting to discuss and decide solutions on the problems identified in the independent monitoring report immediately after it is submitted.

9.3 Submission of the monitoring reports

All the monitoring reports of the land acquisition and resettlement of the Project are listed as follows:

Table 9.1 The schedule for submitting the monitoring reports

Reporter	The reported	Name	Frequency/time
The Project Resettlement Office	The Project Resettlement Leading Group, The World Bank	The internal monitoring report	Once every six months (April 30 and October 31 every year)
The Economic Development and Cooperation Institute of Donghua University	The Project Resettlement Leading Group, The World Bank	The external monitoring report	Once every six months (April 30 and October 31 every year)