**World Bank-financed Anhui Aged Care System Demonstration Project**

SFG3820 REV

**Resettlement Policy Framework**

**Commissioned by: Department of Civil Affairs of Anhui Province**

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**I. Project Overview**

The objectives of the World Bank-financed Anhui Aged Care System Project ("the project'' for short) is to support the government of Anhui province in establishing and managing a diversified system for delivery of elderly care services. The project will be implemented in Anhui provincial and five prefecture-level cities in Anhui Province, namely Anqing, Xuancheng, Wuhu, Lu’an, and Suzhou City. It includes establishment of comprehensive aged-care service information system, establishment of the elderly capability assessment system, establishment of aged-care service standard system and training of professional talents engaging in aged-care service. Five centralized residing aged-care institutions will be newly built in the five cities, 161 standardized community aged-care service stations will be newly built and expanded or renovated in two of the five cities; 35 rural nursing homes will be upgraded and renovated, two government purchased service will be carried out and 8 community-embedded disable and semi-disabled elderly care centers will be rebuilt.

**II. Background for Resettlement Policy Framework**

According to a survey, the multi-functional building of the medical center in Lu’an was demolished in 2015; land was designated in 2015 for the building of a nursing facility at the First People's Hospital of Anqing. In accordance with the World Bank's policy on involuntary resettlement, due diligence reports on the resettlement involved in these two components should be submitted (see Annex 1). For the impact of the relocation and reconstruction of Xuanzhou District Welfare Home to the local people, Resettlement Action Plan (RAP) will be prepared in accordance with the World Bank's policy on involuntary resettlement. But the (project) components may entail land acquisition and demolition for the upgrading of community and home-based care service stations (including the aged-care institutions that are integrated in the stations) in Lu’an, the upgrading of 35 rural nursing facilities in Suzhou, and the building of 127 community and home-based care service stations in Anqing.In the project implementation period, changes in the selected site for civil works or a few quantities of new civil works due to design adjustment may occur or some new demands for land acquisition and demolition in the project implementation process may be generated. However, the current Resettlement Action Plan (RAP) only covers the relocation of social welfare home in Xuancheng. In order to provide guidance on the land acquisition and demolition that may be entailed in the project implementation, we have prepared this policy framework.

Following the local prior experiences, the following measures will be adopted to minimize or avoid involuntary resettlement and mitigate negative impacts associated.

(1) For civil works that cannot be completed between two cropping seasons, planting should be avoided in the proposed project sites to avoid crop loss;

(2) Monitoring of land use and its impact of the project will be strengthened and regularly reported. In the case of temporary land acquisition caused by the construction of works and the cropping is missed, compensation (in the value of standing crops) to farmers will be implemented because of the forgone opportunity of farming;

In general, the selected sites for the most of the known projects are located on the state-owned land of the rural nursing homes, urban nursing homes and the communities. Even if land acquisition may arise during project implementation, the area of land acquisition and its impact will be small.

This Resettlement Policy Framework (hereafter refers to RPF) will serve as the guideline for the preparation and implementation of resettlement when any land acquisition and resettlement issues occur in association with project implementation in the project area.

**III. Objectives of Resettlement, Definitions and Key Principles**

The policy framework is designed to determine the principles of mitigating the impact of resettlement and to clarify organizational arrangements, including compensating for land and property loss to the persons affected by the project and its components and for the persons whose livelihood has changed due to relocation/resettlement; and helping the affected persons relocate and restore their livelihood. As resettlement generally affects the most vulnerable and marginalized groups (economically, politically and socially), this policy framework will pay special attention to the impact of relocation to these groups, such as the poor, landless peasants, the elderly, women, children, ethnic minorities, and disabled persons. Each measure is designed to avoid and reduce land acquisition and demolition as possible as practical.

In a project funded by the World Bank, the borrower should take all necessary measures to mitigate the project’s negative social impacts, including those arising from land acquisition. The provisions on involuntary resettlement in the World Bank’s Operational Policy OP4.12 provide guidance on necessary policy objectives and principles, and are applicable to project impacts related to land acquisition and resettlement.

All reasonable measures should be taken to avoid or minimize land acquisition and all negative impacts related to resettlement. The purpose of this RPF is to ensure that properties and other losses of those affected by the Project (see the following for the definition of the displaced persons) are compensated at replacement cost (as defined below), and appropriate assistance and restoration measures are offered so that they have sufficient opportunities to improve or at least restore their income and standard of living.

“Cut-off date” is a dividing date. The determination of ownership or use right before this date enables the affected population to be qualified for compensation or other aids. The cut-off date is determined in the Resettlement Action Plan and is usually consistent with the census date of the affected population or the date of announcement released by the local government department which is responsible for land acquisition and house demolition for land acquisition of this project. The people migrating into the project area after the cut-off date are disqualified for compensation or other aids.

“Displaced persons” refer to a group of persons affected in any of the following ways:(1) their standard of living is adversely affected; (2) ownership, rights or interests to any of their houses, land (including house site, farmland and pasture) or other movable assets or immovable assets are temporarily or permanently acquired or occupied; (3) or their productive capital is adversely impact in a temporary or permanent way; (4) other their operation, occupational, working or residential sites or habits are adversely affected; (5) and the people have to relocate as defined in the definition of “displaced persons”, such as those who occupy the land but their legal rights or requirements are not recognized before the cut-off date.

“Replacement cost” is defined as follows: For agricultural land, it is the pre-project or pre-resettlement market value of the land with equal productive potential or use located in the vicinity of the affected land (whichever is higher), plus the cost of preparing the land to levels similar to those of the affected land and the cost of any registration and transfer taxes. For houses and other structures, it is the market cost of the materials for building a replacement structure in an area and with quality similar to or better than those of the affected structure, or for repairing a partially affected structure, plus the cost of transporting building materials to the construction site, the cost of any labor and contractors’ fees, and the cost of any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset. Where standard of compensation at full replacement cost cannot be met according to domestic law, compensation under domestic law is supplemented by additional measures so as to meet the replacement cost standard. Such additional assistance is distinct from resettlement measures to be provided under other clauses in OP 4.12, paragraph 6.

“Land acquisition” means the involuntary loss of the ownership to, use right to or access to land of anyone due to the implementation of a project. Land acquisition may lead to a series of relevant impacts, including loss of housing and other fixed assets (enclosing walls, wells, tombs or other structures or facilities attached to such land).

“Resettlement” means the process of providing sufficient opportunities to affected persons to restore productivity, income and standard of living. Compensation for assets is usually insufficient to realize full restoration.

“Cut-off date” is a date of delimitation before which the affected population identified based on title or use right is entitled to compensation or any other form of resettlement assistance. The cut-off date is specified in the RAP, usually consistent with the date of census of the affected population or the date of announcement issued by local authorities (usually the resettlement office of local government of project localities in China). Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.

The World Bank’s Operational Policy OP4.12 provides key guidelines for the RAP and its implementation, and the principles related to this RPF are as follows:

(a) Minimizing or avoiding land acquisition and demolition. If land acquisition is inevitable, special measures should be taken to reduce the negative impact of the project to the displaced persons, especially the vulnerable groups;

(b) All persons who are affected by the project should be compensated and resettled. Moreover, their livelihood should be restored to at least a level before the project implementation, or improved to a higher level than the one before the project implementation;

(c) All project-affected persons (PAPs) who reside, farm, or own assets in the project area are qualified to receive compensation and help for their property or income losses. If the damaged property is illegitimately owned, their owners should still be deemed as qualified to be compensated and resettled and their livelihood be restored.

(d) The provided restoration measures include: 1) compensation for housing and other infrastructure at full replacement prices; 2) compensation for land acquisition; 3) relocation subsidies and transitional resettlement subsidies; 4) compensation for crops, trees and other agricultural products at market prices; 5) other resources and corresponding measures to restore livelihoods;

(e) Soil replacement is preferred, but in the following cases, cash compensation can replace soil replacement: 1) it is impossible to provide land in the vicinity of the project area; 2) all PAPs are willing to accept cash compensation at the full replacement prices; 3) in addition to cash compensation, there are restoration measures in place; these measures, along with the project's revenue, can restore the PAPs' incomes to the level before the project implementation.

(f) The resettlement plan must be accepted by all PAPs through consultation before it can be implemented;

(g) If the resources owned or managed by the PAPs are expropriated for public use or mandatorily restricted for use, measures should be taken to mitigate the impact of such expropriation and restriction, in order to ensure that these people have an equal access to the resources.

**IV. Policies, laws and regulations for land acquisition and resettlement**

The resettlement plan and its implementation should conform to the World Bank's policy on involuntary resettlement (OP4.12) and the existing laws and regulations of China, Anhui province, and the project-located cities.

China has developed a complete set of legal frameworks and policies for land acquisition, demolition, resettlement, and compensation, such as Land Administration Law (revised on August 28, 2004). In accordance with national laws and policies, local governments have promulgated corresponding laws and policies to manage and guide local land requisition, relocation, resettlement and compensation. Based on the current national laws and policies, the project-located cities have developed and promulgated regulations and policies to manage and guide the relevant work locally.

The main national laws and regulations referenced in the preparation of this policy framework are as follows:

Table 1 Resettlement Policy Framework

| Level | Policy document | Effective date |
| --- | --- | --- |
| The state and ministries and commissions of the central government | *Property Law of the PRC* | October 1, 2007 |
| *Land Administration Law of the PRC* | August 28, 2004 |
| *Regulations on the Implementation of the Land Administration Law of the PRC* (Decree No.256 of the State Council) | December 27, 1998 |
| *Regulations on the Acquisition of Houses on State-owned Land and Compensation* (Decree No.590 of the State Council) | January 21, 2011 |
| *Measures for the Acquisition and Appraisal of Houses on State-owned Land* (HC [2011] No.77) | June 7, 2011 |
| *Decision of the State Council on Deepening the Reform and Rigidly Enforcing Land Administration* (SC [2004] No.28) | October 21, 2004 |
| *Guidelines on Improving Compensation and Resettlement Systems for Land Acquisition* (MLR [2004] No.238) | November 3, 2004 |
| *Circular of the State Council on Intensifying Land Control* (SC [2006] No.31) | August 31, 2006 |
| *Notice of the Ministry of Land and Resources on Formulating Uniform Annual Output Value Standards and Location-based Integrated Land Prices* (MLR [2005] No.114) | July 23, 2005 |
| *Notice of the General Office of the State Council on Forwarding the Guidelines of the Ministry of Labor and Social Security on Doing a Good Job in the Employment Training and Social Security of Land-acquired Farmers* (SCGO [2006] No.29) | April 10, 2006 |
| *Law of the People's Republic of China on Land Contract in Rural Areas* (adopted at the 29th session of the Ninth National People's Congress) | August 29, 2002 |
| *Organic Law of the Villagers Committees of the People's Republic of China* (adopted at the fifth session of the Ninth National People’s Congress on November 4, 1998 and revised at the 17th session of the 11th National People’s Congress on October 28, 2010) | October 28, 2010 |
| *Measures on Public Announcement of Land Acquisition* (Decree No.10 of the Ministry of Land and Resources) | January 1, 2002 |
| Anhui Province | *Circular of the General Office of Anhui Provincial People’s Government on Earnestly Implementing Regulations on the Acquisition of Houses on State-owned Land and Compensation* (W.Z.B. [2011] No.24) | April 7, 2011 |
| *Guiding Opinions of the General Office of Anhui Provincial People’s Government on Well Implementing the Employment and Social Security for the Land-acquired Villages* (W.Z.[2005] No.63) | June 12, 2005 |
| Circular of Anhui Provincial People’s Government on Publishing Compensation Standards for Land Acquisition in Anhui Province (W.Z. [2009] No.132) | January 18, 2010 |
| Circular of Anhui Provincial People’s Government on Adjusting Compensation Standards for Land Acquisition in Anhui Province (W.Z. [2012] No.67) | May 15, 2012 |
| Circular of Anhui Provincial People’s Government on Adjusting Compensation Standards for Land Acquisition in Anhui Province (W.Z. [2015] No.24) | February 28, 2015 |
| The WB | The World Bank’s Operational Policy OP4.12: Involuntary Resettlement and the annexes (revised) | April 1,2013 |
| The World Bank’s Operational Procedure BP4.12: Involuntary Resettlement and the annexes (revised) | April 1,2013 |

The above laws, regulations and policies constitute the legal basis and policy framework for providing compensation, and production and livelihood restoration measures to those affected by land acquisition and resettlement. The key provisions of some laws and policies are as follows:

**Key provisions of the Property Law of the PRC:**

Article 42 In order to meet the demands of public interests, it is allowed to acquire lands owned collectively, premises owned by entities and individuals or other realties according to the statutory power limit and procedures.

When acquiring land owned collectively, pay land compensation fees, resettlement subsidies, compensations for the above-ground fixtures of the lands and seedlings and other fees shall be paidin accordance with law and in full amount, social security fees for the land-acquired farmers shall be arranged, their livelihood shall be guaranteed and their lawful rights and interests shall be protected.

When acquiring the premises owned by entities and individuals or other realties, compensate for demolition and acquisition shall be paid in accordance with law to protect the lawful rights and interests of the owners of the acquired realties; when acquiring the individuals' residential houses, the housing conditions of the owners of the acquired houses shall be guaranteed.

Article 43 Special protections shall be provided by the state for farm lands, the conversion of farm lands into construction lands shall be strictly restricted and the aggregate quantity of construction lands shall be under control. No one may acquire any land owned collectively by violating the statutory power limit and procedures.

**Key provisions of the Land Administration Law:**

Article 47 In land acquisition, compensation shall be made according to the original purposes of the land acquired.

Compensation fees for land acquisition include land compensation fees, resettlement fees and compensation for attachments to or standing crops on the land. The land compensation fees shall be 6-10 times the average output value of the three years preceding the acquisition of the cultivated land.

The resettlement fee shall be calculated according to the number of agricultural population to be resettled. The number of agricultural population to be resettled shall be calculated by dividing the amount of cultivated land acquired by the per capital land occupied of the unit whose land is acquired. The resettlement fees for each agricultural person to be resettled shall be 4-6 times the average annual output value of the three years preceding the acquisition of the cultivated land. But the maximum resettlement fee per hectare of land acquired shall not exceed 15 times of the average annual output value of the three years prior to the acquisition.

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

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

Users who use the land temporarily shall use the land according to the purposes agreed upon in the contract for the temporary use of land and shall not build permanent structures. The term for the temporary use of land shall not usually exceed two years.

**Key provisions of the Regulations on the Acquisition of Houses on State-owned Land and Compensation:**

Article 17 The compensation to be paid by the city and county level people's governments that have made the decisions on house acquisition to the persons whose houses are to be acquired shall include:

(1) The compensation for the value of the houses to be acquired;

(2) The compensation for relocation and temporary resettlement arising from the house acquisition; and

(3) The compensation for losses arising from production and business suspension caused by the house acquisition.

The city and county level people's governments shall formulate the procedures for subsidies and incentives, and grant subsidies and incentives to the persons whose houses are to be acquired.

Article 19 The compensation for the value of houses to be acquired shall not be less than the market price of the real estate comparable to the houses to be acquired on the date of the public notice of the house acquisition decisions. The value of the houses to be acquired shall be assessed and determined by real estate appraisal agencies with appropriate qualifications in accordance with the procedures for evaluating houses to be acquired.

Anyone who has objection to the value of the houses to be acquired that has been assessed and determined may apply to the real estate appraisal agency for reassessment. Anyone who disagrees with the results of the review may apply to the real estate appraisal expert committee for appraisal.

Article 20 Real estate appraisal agencies shall be selected by the persons whose houses are to be acquired through consultation. If no agreement is reached through consultation, the same shall be determined by majority decision, random selection and other methods. The specific procedures shall be formulated by the authorities of provinces, autonomous regions and municipalities directly under the central government.

Article 21 The persons whose houses are to be acquired may choose monetary compensation or house property rights exchange (namely, compensating with another house of equivalent value).

If the persons whose houses are to be acquired select house property rights exchange, city and county people's governments shall provide the houses to be used for property rights exchange, and, jointly with the persons whose houses are to be acquired, calculate and settle the price difference between the values of the houses to be acquired and the values of the houses to be used for property rights exchange.

Article 22 If any relocation is caused by house acquisition, the house acquisition department shall pay relocation costs to the persons whose houses are to be acquired. If any persons choose house property rights exchange, the house acquisition department shall, prior to the delivery of the houses to be used for property rights exchange, pay temporary resettlement costs or provide transitional houses to the persons whose houses are to be acquired.

Article 23 The compensation for any losses arising from production and business suspension caused by house acquisition shall be determined according to profits, duration of production and business suspension and other factors prior to the house acquisition.

Article 25 The House Acquisition Departments and the persons whose houses are to be acquired shall, pursuant to these Regulations, enter into compensation agreements with respect the compensation method, the compensation amount and payment terms, the location and area of the houses to be used for property rights exchange, relocation costs, temporary resettlement costs or transitional houses, losses arising from production or business suspension, period of relocation, methods and periods of transition and other matters.

If, after any compensation agreement is entered into, one party fails to perform its obligations set forth in the compensation agreement, the other party may file an action according to law.

Article 26 If any House Acquisition Departments and any persons whose houses are acquired fail to enter into compensation agreements within the time limit for contract execution specified in the acquisition compensation program, or the owners of the houses to be acquired are uncertain, the House Acquisition Departments shall request the city and county level people's governments that have made the decisions on house acquisition to make decisions on compensation in accordance with the acquisition compensation program and publish the same to the public in the areas of house acquisition pursuant to these Regulations.

If any person whose house is to be acquired has objection to the compensation decision, such person may apply for administrative reconsideration or file an administrative lawsuit according to law.

Article 27 In carrying out house acquisition, compensation shall be paid first before relocation.

Article 28 If the persons whose houses are acquired fail to apply for administrative reconsideration or institute administrative proceedings within the statutory time limit, and fail to relocate within the period set forth in the compensation decision, the city and county level people's governments that have made the decisions on house acquisition shall petition the people's court for enforcement.

**Key provisions of the Decision of the State Council on Deepening the Reform and Rigidly Enforcing Land Administration:**

(12) Improving measures of compensation for land acquisition. Local people’s government of county-level or above shall take practical measures so that the standard of living of farmers affected by land acquisition is not reduced thereby. Land compensation, resettlement subsidy and compensation for land attachments and crops shall be paid in full and timely pursuant to law. If the land compensation and resettlement subsidy pursuant to the prevailing laws and regulations are insufficient to maintain the former standard of living of the farmers affected by land acquisition or to pay the social security expenses of farmers who lose all land due to land acquisition, the people’s governments of provinces, autonomous regions and municipalities directly under the Central Government shall approve an increased resettlement subsidy. If the sum of the land compensation and the resettlement subsidy attains the statutory upper limit and is still insufficient to maintain the former standard of living of the farmers affected by land acquisition, local people’s governments may pay a subsidy from the income from compensated use of state land. The people’s governments of provinces, autonomous regions and municipalities directly under the Central Government shall fix and publish the uniform annual output value standards or integrated land prices for land acquisition of all cities and counties, so that the same price applies to the same kind of land. For key construction projects of the state, land acquisition expenses must be listed in the budgetary estimate in full. Compensation Standards and resettlement measures for large and medium-sized water resources and hydro-power projects shall be otherwise stipulated by the State Council.

(13) Resettling land-acquired farmers properly. Local people’s government of county-level or above shall take specific measures to guarantee long-term livelihoods of farmers affected by land acquisition. For projects with a stable income, farmers may become a shareholder using the right to use of land used for construction approved pursuant to law. Within the urban planning area, local people’s governments shall bring farmers who lose all land due to land acquisition into the urban employment system, and establish a social security system; out of the urban planning area, in acquiring land collectively owned by farmers, local people’s governments shall reserve necessary arable land or arrange appropriate jobs for farmers affected by land acquisition within the same administrative area; farmers without land who do not have the basic living and production conditions shall be subject to non-local resettlement. The labor and social security authorities shall propose guidelines for the employment training and social security systems for farmers affected by land acquisition as soon as possible.

**Circular of Anhui Provincial People’s Government on Adjusting Compensation Standard for Land Acquisition in Anhui**

I. The compensation for acquisition of collective land and the resettlement subsidies within the administrative region of Anhui Province shall be paid according to the new compensation standard for land acquisition as of March 1, 2015. Where the construction land is located in the area with the sane annual output or integrated land price, the compensation standard for land acquisition shall be the same and same price shall be maintained for the land of the same area. The compensation standard for construction land of large and medium-scale water conservancy and hydropower projects shall be subject to the relevant provisions of the State Council. The city and county level governments can lift the compensation standard for acquisition of special land according to the local conditions.

II. Compensation for use of the land of the state-owned farm (forest farm, pasture and fishery) shall be paid with reference to the regional (sub-area) standard of the township (sub-district) of the farm (forest farm, pasture and fishery). Where there is more than one area around the farm (forest farm, pasture and fishery), the highest standard shall be followed.

III. The city and county level people’s government shall earnestly coordinate the compensation according to the new and old standards, vigorously publicize and explain the policies and properly solve the problems arising from the implementation to ensure the smooth implementation of the new compensation standard for land acquisition. Where approval for land use has been obtained before the effectiveness and implementation of the new compensation standard for land acquisition and the city or county level people’s government has formulated and announced the compensation and resettlement plan for land acquisition, the compensation standard shall be subject to the one as determined in the announcement; where the compensation and resettlement plan for land acquisition has not yet been formulated or announced and land acquisition has not been implemented, the new standard shall be followed.

VI. The compensation standard for land acquisition in various cities and counties shall be formulated by the provincial government in a unified form and timely adjusted according to the provisions of the state and local economic development status. The city level people’s government shall adjust the compensation standard for the houses, other attachments and standing crops on the acquired land in accordance with the local economic development level and actual conditions and report to the Department of Land and Resources of Anhui Province before implementing it. The adjustment cycle shall be the same as that of compensation standard for land acquisition.

**Circular of the General Office of Anhui Provincial People’s Government on Earnestly Implementing Regulations on the Acquisition of Houses on State-owned Land and Compensation**

III. Strengthen the government’s responsibilities and cooperation among departments

The city and county level government shall be responsible for making decisions on acquisitions of houses and releasing the compensation plan as well as the organization for implementation of the house acquisition and compensation. The construction, real estate management, urban and rural planning, development and reform, finance, land and resources, public security, supervision, auditing and complaint redress departments at all levels shall perform their duties, strengthen the cooperation and timely find out and solve the problems in their work. The local government shall determine the house acquisition departments as soon as possible and organize the specific implementation of the local house acquisition and compensation. The role of the sub-district offices and community committee and other grass-root organizations shall be given full play to ensure the smooth advancement of house acquisition and compensation.

V. Formulate the implementation method as soon as possible

Department of Housing and Urban-rural Development of Anhui Province shall, in cooperation with the relevant departments, carry out the survey and argumentation on local legislation corresponding to the Regulations, draft the relevant legislative documents and submit them to the provincial government. Governments of various regions shall speed up the efforts of sorting out and modifying the regulations and normative documents related to urban house acquisition. In order to ensure the smooth implementation of the Regulations, the city and county level governments can formulate the tentative measures according to local actual conditions before the uniform measures for housing security for the house-acquired households, the determination of real estate appraisal institutions and compensation for loss due to production and business suspension are promulgated.

**Analysis of the difference between the World Bank’s policies and related policies of China:**

In principle, there is no significant difference between the World Bank Operation Manual OP4.12 and China difference bet involuntary resettlement. On the whole, in light of the goal and general procedures, the World Bank Operation Manual OP 4.12 is consistent with the China’s policies on land acquisition and resettlement. Both parties emphasize on avoidance or minimization of the involuntary resettlement so as to ensure the long-term livelihood of the displaced persons and restoration of the live standard of the displaced persons to the level before resettlement. In implementation of the involuntary resettlement, both parties have to deal with the compensation, restoration issues and supervise and assess the implementation. However, some gaps still exist. These gaps and solutions are detailed in Table 2.

Table 2 Main differences between the World Bank’s policies and China’s policies and measures to bridge the gaps

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| --- | --- | --- | --- |
|  | China’s policies | The World Bank’s policies | Solutions |
| Objective | To ensure the construction project can be timely and effectively completed and ensure the social harmony and stability | To avoid or minimize the involuntary resettlement and ensure that the living standard of the displaced persons are not lower than that before resettlement | Follow the World Bank’s policies |
| Compensation methods | For land acquisition, cash compensation is usually the main method with employment assistance and social security as the auxiliary compensation method. The following resettlement ways can be adopted for resettlement of the displaced households:1. Cash compensation;2. Exchange of house site (mainly for resettlement of the rural residents). The department in charge of demolition will offer the land for residential house construction and conduct land leveling and infrastructure construction.3. Exchange of property right (mainly for resettlement of urban residents). The resettlement location and types of resettlement houses have been determined. | The affected people have the right to choose cash compensation or property exchange (or house site exchange). The PMO should conduct land leveling and infrastructure construction for the displaced households. The location of the resettlement houses can be selected by the displaced households choosing resettlement method of property exchange on their free will basis. | Follow the World Bank’s policies |
| Method to calculate the compensation | Calculate according to the price of second-hand house of the same type and same use purpose in the same area | The price should be calculated according to the estimated replacement cost and no depreciation is considered. | The actual compensation is more than the replacement cost |
| Compensation for the buildings which were built without related permits | No compensation will be offered to the buildings built without relevant permits | Corresponding compensation will be offered to the buildings built without relevant permits, including assistance for demolition or relocation move. | Compensate the buildings built without relevant permits before the cut-off date |
| Public consultation | The public consultation system is not sound the publics can only participate in some stages of the project implementation. | There is complete sound public consultation plan and the residents can participate in the whole process of the project implementation. | Establish multi-level and multi-channel public consultation mechanism |
| Monitoring system | The PIU manages internally and the resettlement implementation office monitors the whole process | The monitoring process from external independent monitoring to internal management mechanism and internal monitoring by the PIU, resettlement implementation office and the external monitoring agency. | Establish external and internal monitoring system according to requirements of the World Bank. |
| Grievance redress mechanism | Set up special office to receive the residents’ complaints. | The publics can appeal through multi-channel and methods, including the community, sub-district office, PIU and external monitoring agency. | Set up grievance redress mechanism according to requirements of the World Bank |

**V. Preparation and approval of RAP**

The borrower should prepare and implement the RAP (including meeting all funds needed for involuntary resettlement). However, many aspects of land acquisition and resettlement are implemented by the project county level land administration departments. The borrower should coordinate project activities through the project management institution to ensure that an effective RAP is prepared and implemented. The RAP should be combined with local construction, resources exploitation, economic development and environmental protection, and fully embody the sustainability of local economic development and the development of the displaced persons. A feasible RAP should be prepared in consideration of the local natural and socioeconomic conditions in order to restore the production level and standard of living of the displaced persons effectively, and maintain sustainability.

Once it is determined that land acquisition is unavoidable in project implementation, it is necessary to conduct involuntary resettlement, and determine the amount of land acquisition and resettlement impacts. At this point, relevant resettlement report documents, such as the RAP, the Abbreviated Resettlement Action Plan (ARAP) and the Due Diligence Report on Resettlement, should be prepared and submitted to the World Bank. Only when these report documents have been reviewed with no objection by the World Bank can the PMO and the project implementing agencies begin to implement land acquisition, property demolition and resettlement activities. The RAP should estimate a transition period according to the time possibly required for restoring livelihoods and the standard of living, and ensure that displaced persons can receive assistance during the transition period. The borrower identifies and enumerates the persons to be acquired of land or displaced in the project through a census, determines which persons are entitled to assistance and prevents the influx of those without such entitlement; the borrower determines the scope and extent of potential impacts in the project area through a socio-economic survey. The census must cover all persons directly affected, and the socioeconomic survey may be conducted on a sampling basis. If the census and the socioeconomic survey are conducted concurrently or separately depends on if a full RAP or an Abbreviated RAP (see Annex A to OP 4.12) is prepared. If over 200 persons are affected, a full RAP should be prepared. If the whole displaced population is affected slightly, or less than 200 persons are affected, an ARAP may be sufficient. If the affected persons do not have to be displaced, and the loss of means of production is less than 10%, the project is deemed to have a “slight impact”.

If an RAP has to be prepared, it should be prepared in accordance with the policy principles, programs and implementation arrangements in this RPF. The RAP should be based on accurate census and socioeconomic survey results, and incorporate measures to mitigate negative impacts arising from resettlement (e.g., compensation for assets, assistance during the transition period, and assistance for economic restoration). To ensure that necessary resettlement measures will not displace or restrict the use of resources and assets before implementation, resettlement activities should be implemented in conjunction with the investment plan of the project. For different types of negative impacts, the RAP should pay special attention to the following:

(1) Description of activities resulting in land acquisition;

(2) Scope and extent of potentially negative impacts;

(3) Baseline results of socioeconomic survey and census;

(4) Review of laws and regulations on land acquisition and resettlement;

(5) Compensation Standards for all types of affected assets (or other options);

(6) Other necessary resettlement measures to provide economic restoration opportunities to the displaced persons;

(7) Acceptable Standards of compensation and other assistance;

(8) Replacement arrangements, including assistance measures during the transition period if necessary;

(9) Selection or preparation of resettlement site if necessary;

(10) Restoration or replacement of community infrastructure and services;

(11) Institutional arrangements for implementation;

(12) Consultation and information disclosure arrangements;

(13) Resettlement implementation schedule;

(14) Costs and budget;

(15) Monitoring and evaluation (monitoring and assessment) arrangements;

(16) Grievance redressmechanism;

(17) Summary entitlement matrix.

The RAPs should be prepared by the PMO with technical support of experienced social experts and submitted to the Bank for review and there should be no objection to the RAP from the World Bank at least 3 months before the starting date of resettlement. Only after the Bank has accepted the RAPs can compensation, resettlement and restoration activities begin. Such activities should be completed before the commencement of civil works.

If an RAP has to be prepared, it should be prepared in accordance with the policy principles, programs and implementation arrangements in this RPF. It should at least include the following:

(1) Census and appraisal of affected assets;

(2) Description of compensation and other assistance measures to be provided;

(3) Acceptable compensation Standards;

(4) Consultation and information disclosure arrangements;

(5) Institutional arrangements for implementation;

(6) Schedule and budget;

(7) Monitoring and evaluationarrangements;

(8) Grievance redressmechanism.

The ARAPs should be prepared and submitted to the World Bank for review and there should be no objection at least 3 months before the starting date of resettlement. Only after the Bank has accepted the ARAPs can compensation, resettlement and restoration activities begin. Such activities should be completed before the commencement of civil engineering.

**VI. Basic standard for resettlement compensation and entitlements**

The compensation standard for land acquisition of this project will follow the *Notice of the Ministry of Land and Resources on Further Strengthening Administration of Land Acquisition* (June 26, 2010) which stipulates that “all regions shall set up dynamic adjustment mechanism of compensation standard for land acquisition, adjust the compensation standard for land acquisition every two to three years in accordance with the local economic development level and the local per capita average income growth rate and gradually lift the compensation level for land acquisition”.

Preparation of a RAP is to ensure that the displaced persons have sufficient chances to replace their lost properties, improve or at least restore their original income level and living standard. To realize these goals, it should be ensured that all displaced persons are identified and that all displaced persons agree with all remedial measures in the RAP. In consideration of main impact types (such as land acquisition and occupation, demolition of residential houses in both rural and urban areas, demolition of non-residential houses (of enterprises, public institutions and shops and so on)), the following measures are usually adopted:

(1) The land-lost displaced persons will be entitled to the following compensation and restoration measures:

* In accordance with *Land Administration Law* and the related laws, the displaced persons who lost cultivated land may be offered with employment opportunities in some cases and the salary is at least equivalent to their lost income. In other cases, the displaced persons can at least get the resettlement subsidies which are four to six times the annual average output value of their lost land in the previous three years. If so, the displaced persons are still unable to restore their original living standard. In such case, the resettlement subsidies can be improved to 15 times the annual average output value in the previous three years.
* If the land compensation fee and resettlement subsidies are still unable to restore the living standard of the displaced persons, the relevant city or county government can subsidize them with income from paid use of state-owned land.
* The land compensation fee and resettlement subsidies are paid to the village committee or displaced persons affected by the land acquisition and used for 1) increasing the area of cultivated land if the land is usable; 2) improving the agricultural production by offering irrigation and improving the agricultural operation; 3) developing non-agricultural income based on the current activities. Like fixed assets, the damaged standing crops, fruits and economic trees will be compensated as per the replacement cost.
* The damaged income, standing crops and land restoration fee as well as damaged infrastructure by the temporary land occupation of the project will also be compensated.
* If the land-lost displaced persons meet the requirements for participating in social security system for land-lost farmers, this group of displaced persons should be timely included into the social security system for land-lost farmers according to the relevant policies of the project-located district (county).
* Offering timely and reasonable skill trainings to the displaced persons so as to improve their corresponding agricultural / non-agricultural skills and enhance their ability to gain income.
* Offering the employment opportunities, including the government public welfare posts and posts offered by the PIU. Giving priority to local labors in arrangement of non-technical posts to offer income-increase opportunities for the displaced persons.

(2) The demolished houses and house attachments will be compensated by the following measures:

* Offering resettlement houses of equivalent value;
* Compensating according to the full replacement cost for property based on the property value assessed by the qualified third appraisal agency; The valuation will be done by licensed assessing agency or agencies and the valuation result is mutually accepted by the affected people and the project owner(the new land user).
* Rebuilding or restoring all of the community facilities and services (such as, roads, water supply, power supply, telephone, cable TV and schools);
* The subsidies for the transition should be able to ensure that all properties can be relocated or temporary houses can be obtained.

(3) **Vulnerable groups**

The vulnerable group involved in this project, including the families with the elderly, the disabled and woman as the main force, should be identified in the survey.

All compensation and resettlement terms for all project-affected people are applicable to the vulnerable group. In addition, the vulnerable group is entitled to the available assistance so as to ensure that the project implementation can restore or improve their income and life. Such as the minimum living standard security system for the urban and rural residents, relief aid for serious illness, relief aid for disasters, relief aid for the disabled, the five-guarantee system for rural elderly people, the supply system for Sanwu people, the relief aid for vagrants and beggars, subsidies for house leasing of the low-income groups, fund for rural drinking water safety and aid for left-behind children.

**VII. Institutional arrangement**

To ensure that the resettlement work is progressed smoothly and realizes the expected goal, a set of top-down institutions must be set in the project preparation and implementation process so as to effectively implement the approved RAP and Resettlement Policy Framework (RPF) and the supervision and management. The PPMO will take comprehensive charge of coordinating the implementation of RAP and RPF, including the management, supervision, training and capacity building as well as preparation of the project progress report base on the monitoring information submitted by each project-located county (district). Each project county (district) PMO in coordination with local resettlement office will be responsible for the implementation of RPF and RAP in their own regions, including hiring senior social / resettlement experts to monitor the resettlement work, urging the implementation of the mitigation measures related to the local government and stakeholders and promoting the effective implementation of the resettlement and social development project. The PPMO and PMO of each county (district) will arrange the social experts, the related local governmental departments, the project-located towns and the project-affected villages to deal with the local land acquisition and house demolition and coordinate the social security work. The institutional arrangement for resettlement of this project is shown as Figure 1.

Civil Affairs Bureau of the Project-located District (County)项目区（县）民政局

PMO

Resettlement Consultation Agency

Project-affected communities (towns)

Households affected land acquisition and house demolition

Project-affected villages

World Bank-financed Project Management office of Department of Civil Affairs of Anhui Province

Affiliation relationship

Guiding and consulting relationship

Figure 1 Project organization chart

**VIII. Budgeting and use of resettlement fund**

The Borrower shall undertake all liabilities related to land acquisition and resettlement. Any resettlement plan formulated according to this RPF should contain the cost and the budget. All people adversely affected by the land acquisition are entitled to compensation and appropriate resettlement, whether they are identified in the resettlement planning phase or not or whether the sufficient mitigation fund is allocated or not. Therefore, contingencies should be reserved for RAP and is usually more than 10% of the total resettlement cost.

The compensation rate in RAP is the basis for calculating compensation for resettlement. All collectives or individuals suffering from property loss shall be given full amount compensation according to the full replacement cost and no compensation discount for any reason may be allowed. The RAP shall indicate the procedures that the Borrower pays the compensation to the project-affected people. In principle, the fund should be directly paid to the affected population as possible as practical. In this process, the coordination and arbitration and other intermediate procedures should be minimized as possible as practical.

Since this project is implemented in many areas, different area has different compensation standard for land acquisition and time-span is all different, if new land acquisition demands emerge in the project implementation process, the local latest compensation standard should be referred to.

**IX. Public consultation and information disclosure**

At resettlement planning, RAP preparation and implementation stages, great importance should be attached to the participation of and consultation with the displaced persons, and the resettlement policies of the Project should be introduced extensively for comments from the affected population by all means, such as the socio-economic survey and the impact evaluation survey. Through extensive public participation, coordination and communication, the local governments, affected villages and affected persons could thoroughly understand the project, the potential project impacts, resettlement policies and income restoration program of the Project.

The participation of or consultation with the affected persons is the starting point of resettlement activities. Consultation can facilitate the successful implementation of the Project, and is a basic means of meeting the resettlement and restoration objectives. The RAP must describe measures for consultation with the displaced persons about the RAP. Displaced persons and their communities, and any host communities receiving them, are provided with timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement. In new resettlement sites or host communities, infrastructure and public services are provided as necessary to improve, restore, or maintain accessibility and levels of service for the displaced persons and host communities. Appropriate and accessible grievance mechanisms are established for these groups to restore or improve their income level. In order that the affected persons’ opinions and choices are fully considered, consultation will be conducted before the project design and the mitigation measures are finalized. Through external monitoring (see below), public participation will run through the whole implementation process of the RAP.

The PMO and the local resettlement implementing agencies can encourage the participation of and consultation with the affected population in the following ways:

(1) Disclosure of involuntary resettlement information

To ensure that the displaced persons and the local governments fully understand the RAP, and the compensation amounts and RAPs of the components, the PMO should also compile and sum up resettlement information by posting or through broadcast, TV or online media in the project area and prepare resettlement information leaflets for distribution to each displaced person. Resettlement information includes all lost assets, compensation Standards, amount of compensation, resettlement policies, displaced persons’ rights and interests, feedback and appeal channels, etc. All safeguards documents-each RAP need to be cleared by the World Bank and disclosed locally in local language and in the Bank Info shop in English.

(2) Holding public consultative meetings

The resettlement office of PMO should regularly hold consultation meetings according to situation of land acquisition and resettlement. The times of public consultation meetings should be a few times as required and participants of each meeting should be at least 30% of affected population. Representative of vulnerable groups such as women and ethnic minorities should be invited to attend the meetings. The number of attendees including women and ethnic minorities should reach 30% of the total in each meeting. An independent monitoring and evaluation agency should be invited to monitor the meetings. Project components, progress and resettlement policy should be widely advocated through TV, broadcasting, newspapers, websites and other channels.

(3) Holding public hearings

China's legislation has not stipulated the scope of the testimony. Considering the status quo of the public hearing activities, the National People's Congress enacted the Legislative Public Hearing Rules (demonstration draft), clarifying provisions on the scope of the testimony. The scope of the testimony according to the demonstration draft regulation distinguishes two kinds of cases: a public hearing should be held, and a hearing may be held. Public hearings should be conducted when matters that laws and regulations determined and social hot issues happen such as interest tax, marriage law modification, concerns from almost all the citizen) or when things that would exert significant impact on the rights and interests of citizens, legal persons or other organizations such as housing demolition regulations or when things may result in the most influential results on a specific group although they may not put impact on majority of individuals or organizations.

(4) Holding village meeting

The PMO should also disclose the draft and final version of the RAP to the displaced persons and the public in the project area, and hand them out at a place easily accessible to the displaced persons. The place of disclosure of the RAP may be a public library, the villager activity room of the affected village committee, and a government public information website, and the language should be understandable.

**X. Grievance redress mechanism**

Ensuring that the affected persons’ production operations and livelihoods are restored or improved is the primary purpose of resettlement. Therefore, no grievance will arise in most cases if resettlement is conducted after consultation with the displaced persons. However, during project implementation, problems may arise more or less. In order to solve problems timely whenever they arise, so as to ensure that resettlement is implemented successfully, and that the displaced persons have an complaint channel in respect of land acquisition and resettlement, the following grievance mechanism will be adopted for the Project:

* Stage I: Oral or written grievance might be delivered to the village committees or related community organizations funded by the project if displaced person is neither satisfied with resettlement plan or the implementation of the plan. If oral grievances are delivered, the village committees/local community committee should make a written record. The villages committees or project community organizations in the project sites should respond to the grievances as appropriate within two weeks.
* Stage II. The displaced person may appeal orally or in a written way to the township government that governs the village where the displaced persons reside if this person is unsatisfied with the village committees' decision and response at stage I. If oral grievances are delivered, the township government should respond the grievances within 2 weeks and make a written record.
* Stage III. If displaced person is unsatisfied with the township government's decision, they may continue to complaint to county PMO. If they are still unsatisfied with the PMO's decision, they may complaint to the provincial PMO.
* Stage IV. If the displaced person is not satisfied with the PMO's decision, they can appeal to the civil court in accordance with the civil procedure law.

The above grievance channels should be disclosed in a manner understandable to the displaced persons, so that they fully understand their right of appeal. The relevant agencies should conduct a field investigation on any grievance raised by the displaced persons, and make a disposition objectively and justly in consultation with the displaced persons, and in accordance with the state laws and regulations, and the principles and standards specified in the RAP.

Responsible organizations should adhere to following principles in redressing grievances and grievances:

1) Related organizations of the project delegate specific staff to take care of petition letters and arrange specific staff to consolidate and record oral responses, and demand for effective reply to grievances and grievances at each level within two weeks;

2) All organizations handle grievances and grievances of affected people and reasonable expenditures involved shall be paid through government matching funds of the project. .

3) The grievance mechanism shall keep effective during all construction phase of the project, to ensure that affected people could deal with related problems using the mechanism. Approaches for grievance will be informed to displaced person through public meeting and resettlement information booklets distributed. In the meantime, grievance process will be published among affected population through media.

4) During execution of resettlement action plan, land acquisition organizations should carefully register and manage grievance document and results and should report to PMO in writing on a monthly or quarterly basis as required. PMO shall conduct periodic review on handling and registration of grievances. To completely record grievances of affected population and results, PMO shall develop affected population grievance and appeal redress registration form. See **appendix 2** for sample of resettlement grievance redress registration form.

**XI. Monitoring and evaluation**

The basis of resettlement monitoring and evaluation includes: (1) state laws and regulations on resettlement; (2) operational guidelines of the World Bank; and (3) legal documents related directly to the Project, such as the RAP accepted by both the World Bank and the project owner.

The principles for resettlement monitoring and evaluation include: (1) studying and evaluating the implementation of the RAP regularly, comparing the actual resettlement against the RAP; (2) conducting data collection and analysis accurately to ensure the accuracy of monitoring and evaluation results; (3) evaluating the implementation of the RAP scientifically, objectively and fairly; (4) reporting to the project owner and the World Bank timely so that they can learn the progress of the Project timely for scientific decision-making.

Internal monitoring should usually cover the following:

(1) Organization: setup and division of labor of resettlement implementation and related agencies, staffing of the resettlement agencies, capacity building of the resettlement agencies;

(2) Resettlement policies and compensation Standards: enactment and implementation of resettlement policies; practical implementation of compensation Standards for different types of losses, with particular stress on if the compensation Standards in the RAP are complied with, and the reason for any difference;

(3) Implementation progress of land acquisition, property demolition and resettlement;

(4) Resettlement budget and implementation;

(5) Resettlement by production and employment: main modes of resettlement for rural areas (cash compensation, resettlement of enterprises and public institutions, self-employment, pension and other social insurance, etc.), resettlement of vulnerable groups (ethnic minorities, woman-headed households, the elderly, the disabled, etc.), land reclamation for temporarily occupied land, effectiveness of resettlement, etc.;

(6) Housing rebuilding and livelihood resettlement of displaced persons: modes of resettlement for rural areas, allocation of housing sites, form of housing rebuilding, “three supplies and one leveling” of housing sites, payment of compensation fees, provision and relocation of public facilities (water, electricity, road and market network);

(7) Grievances, grievances, public participation, consultation, information disclosure and external monitoring;

(8) Handling of issues in the Memorandum of the World Bank Mission;

(9) Existing issues and solutions.

External monitoring and evaluation will be conducted by an agency independent of the project owner and the resettlement implementing agencies, and having resettlement monitoring and evaluation capabilities. External monitoring and evaluation should usually cover the following:

(1) Resettlement agencies: monitoring the setup, division of labor and staffing of the project owner and the resettlement agencies, and capacity building and training activities of the resettlement agencies through investigation and interview; evaluating the appropriateness thereof through comparison with the RAP;

(2) Resettlement policies and compensation Standards: studying the main policies for resettlement implementation, and evaluating the appropriateness thereof through comparison with the RAP; verifying the implementation of the compensation Standards for different types of losses (especially major losses such as permanent land acquisition and property demolition) through sampling, and evaluating the appropriateness thereof through comparison with the RAP;

(3) Progress of resettlement implementation;

(4) Resettlement costs and budget;

(5) Resettlement by production and employment: evaluating the production and employment resettlement of the displaced persons, and the implementation of the income restoration program through sampling survey and the follow-up monitoring of typical displaced households;

(6) Housing rebuilding and livelihood resettlement of the displaced persons: conducting analysis and evaluation through sampling survey;

(7) Restoration of the income, production level and standard of living of the displaced persons: learning the income sources, amount, structure and stability , and expenditure structure and amount of typical displaced households through baseline survey before land acquisition and property demolition, and sampling survey and follow-up monitoring thereafter, evaluating the level of fulfillment of income restoration and other resettlement objectives through a comparative analysis; analyzing and evaluating the level of fulfillment of income and standard of living restoration objectives of the displaced persons through comparison in residential conditions, traffic, public facilities, community environment, culture, amusement and economic activities, etc.;

(8) Grievances and grievances: monitoring the appeal channel and procedure for the displaced persons, main grievances and handling thereof through literature review and sampling survey;

(9) Public participation, consultation and information disclosure: monitoring public participation and consultation activities, and the effectiveness thereof, the preparation, issue and feedback of the resettlement information booklet, and information disclosure activities and the effectiveness thereof during resettlement implementation through literature review and field investigation;

(10) Handling issues proposed in the Memorandum of the World Bank Mission and the last resettlement monitoring and evaluation report;

(11) Conclusion and suggestions: summing up resettlement activities and draw to a conclusion and make recommendations; tracking existing issues until they are solved.

During resettlement, the external monitoring and evaluation agency will conduct two rounds of monitoring and evaluation through field investigation per annum. After the completion of resettlement, monitoring and evaluation may be conducted annually or less frequently as necessary, subject always to the consent of the World Bank. External monitoring and evaluation will usually continue until the fulfillment of the resettlement objectives. Through external monitoring and assessment, opinions and suggestions will be given on the whole resettlement process, and the restoration of the production level and standard of living of the displaced persons. External monitoring and evaluation reports will be submitted to both the PMO and the World Bank.

**Appendix 1 Entitlement Matrix**

| **Type of impact** | **APs** | **Compensation or resettlement measure** | **Entitlement** |
| --- | --- | --- | --- |
| Permanent Acquisition of Collective Land  | The Village Collective  | Compensation for collective land  | Full compensation for the collective land without contractor will be calculated according to the compensation standard for land acquisition and paid to the village collective while how to use the compensation shall be decided by the villager’s congress.  |
| Attachments of the village collective |
| The Land-acquired farmers | Land compensation and resettlement subsidies |

|  |
| --- |
| 1) The first method is that the villagers get all of the land compensation and resettlement subsidies and the village collective shall directly pay the full amount to the villagers and shall not retain any of it. Meanwhile, the village collective will also not allocate land for the affected households.  |
| 2) The second method is that 70% of the land compensation will be directly paid to the affected villagers and the rest 30% will be used as fund of the village collective to build the facilities of public welfare nature in the village. In case that there are lands available, the villagers can choose resettlement via land exchange, such as allocating another house sites for them if house plot is available, upon decision of the villagers’ congress. In case that there is no land available, there will be no land for land compensation for affected villager. The specific distribution plan of land compensation will be finally determined at the villagers’ congress during the implementation period of resettlement. |

 |
| Compensation for attachments and infrastructure  | The AHs will receive full compensation for attachments and infrastructure according to the relevant national standards on compensation of attachments and the attachments and infrastructures can be restored elsewhere by themselves.  |
| Temporary land use  | Full compensation will be paid and the temporarily occupied land will be restored to the original condition after project completion  |
| Compensation for standing crops  | The APs will directly receive full compensation for standing crops.  |
| Social security  | The APs can participate in the endowment insurance for land-acquired farmers, new-type rural insurance, endowment insurance for urban and rural residents and endowment insurance for urban employees on their free will basis.  |
| Production and livelihood development measures | Be entitled to the free-of-charge training and employment measures as well as support to re-lease of the shops and business restoration.  |
| Demolition of rural residential houses  | APs  | Cash compensation | The demolished rural residential houses in this project will be appraised by an employed qualified third party appraisal institution according to the market value and the affected households will get the full compensation for demolition.  |
| Property exchange | The affected household can receive house of equal quality and area.  |
| Demolition of rural non- residential houses | APs  | Cash compensation  | Compensation for buildings (structures): Permanent buildings (structures) will be appraised by the appraisal institution at replacement cost to determine the compensation. The affected households will get the full compensation for demolition.  |
| Machinery equipment and the supporting equipment will be appraised by the appraisal institution at replacement cost. Those immovable will be compensated at the evaluated value and compensation for those movable will be determined according to the appraisal. The affected households will get the full compensation for demolition.  |
| Compensation or resettlement subsidies for standing crops will be compensated according to the evaluated value and the affected households will get the full compensation.  |
| Employees: compensation calculated according to the local minimum wage standard multiplying the business suspension months will be offered to the employees who are forced to stop their business; the owner of the demolished enterprises: offered the compensation calculated according to the monthly post-tax profit of the year with most profits in the three years before business suspension as registered in the tax authority; the relocation subsidy for the plants and offices will be paid according to the local actual conditions. The affected households will get the full compensation.  |
| Demolition of residential houses on state-owned land | APs | Cash compensation | The demolished residential houses in this project will be appraised by an employed qualified third party appraisal institution according to the market value and the affected households will get the full compensation for demolition. |
| Property exchange | The affected household can receive house of equal quality and area. |
| Demolition of non-residential house on state-owned land | The affected enterprises, public institutions or communities | Cash compensation | * Machinery equipment and the supporting equipment will be appraised by the appraisal institution at replacement cost. Those immovable will be compensated at the evaluated value and compensation for those movable will be determined according to the appraisal. The affected households will get the full compensation for demolition. If the enterprise’s production and operation is affected by relocation, the corresponding amount of compensation for production and business suspension should also be paid.
* Compensation calculated according to the local minimum wage standard multiplying the business suspension months will be offered to the employees who are forced to stop their business; the owner of the demolished enterprises: offered the compensation calculated according to the monthly post-tax profit of the year with most profits in the three years before business suspension as registered in the tax authority; the relocation subsidy for the plants and offices will be paid according to the local actual conditions. The affected households will get the full compensation.
* According to relevant compensation standard of the country, the community will get full compensation for infrastructure to rebuild it.
 |
| Vulnerable groups  | All  | Priority will be given to them in light of training and employment  | * They will have priority in attending agricultural and non-agricultural job training.
 |
| * They will have priority in job selection and receiving employment information.
 |
| * The household meeting the requirements of local minimum living standard can receive the minimum living security.
 |
| * They will have the right to receive the relevant relief and subsidies.
 |
| Women  | All  | Public consultation and help in employment  | * Each village collective has women. The women have the equal rights to participate in the villagers’ meeting and villagers’ congress as the men; at the same time, the women have the equal rights to sign on the land acquisition compensation agreement and compensation claim certificates.
* The opinions of the women are received and considered in the relevant poll about the land acquisition and structure demolition.
* The women have the equal rights to share and receive the compensation for land acquisition and structure demolition in the future.
* Priority will be given to the women who are willing to get a job in the project construction period and after the project completion. The women have the rights to receive local employment training and recommendation for employment.
 |
| Ethnic Minority | All  | Public consultation and help in employment  | * Establish organizations to ensure the ethnic minority groups’ participation and consultation during project implementation and ensure each village committee and community organization has member of ethnic minority groups. Comments of ethnic minorities are understood and taken into consideration in land acquisition and demolition;
* Ethnic minorities shall enjoy equal rights as the majority people do in compensation for land acquisition and demolition;
* Ethnic minorities who have job willingness, especially ethnic-minority women, shall be given priority to choose job opportunities during project construction.
 |

**Appendix 2 Resettlement Grievance and Appeal Redress Registration Form**

**Resettlement Grievance Redress Registration Form**

|  |  |  |  |
| --- | --- | --- | --- |
| Name of Complainant |  | Date |  |
| Reception Agency |  | Location |  |
| Content of Complaint |  |
| Deserved Solution |  |
| Proposed Solution |  |
| Actual Redress |  |
| Complainant (Signature) |  | Recorder (Signature) |  |
| Note: 1. Record should faithfully record the content and requirements of Complainant. 2. The appeal process shall not be subject to any interference or obstacles. 3. Proposed solution should be replied to Complainant within required time. |