Resettlement Action Plan under Xi’an Urban Road Network Improvement Project

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1. Overview of Project

1.1 Project Background

Xi'an is one of the four ancient capitals in the world, enjoying equal reputation as Athens, Cairo and Rome. Thirteen dynasties had established their capitals here, such as Zhou, Qin, Han and Tang, etc. Xi'an, located on the development axis of New Asia-Europe Continental Bridge, is the biggest economic growth point in the new Longhai Railway and also one of the most influencing cities in Inland China. With respect to regional economic layout, Xi'an links all directions geographically, playing important strategic roles in the West Development Programme. The comparative advantages of Xi'an can be reflected in three aspects: The world-class sightseeing resources; National scientific research and education and hi-tech industrial base; Regional financial and commercial center, and transport and information hub. Through deepening the reform and expanding the opening up to the outside world, Xi'an is becoming the important open city in Inland China.

In recent years, Xi'an has taken the opportunity of West Development Programme and relied upon unique historical, economic, cultural and geographical advantages and industrial advantages of education, scientific research, equipment manufacturing, and high technologies, under the guidance of "internationalized, marketization, culture-orientated and ecological" urban development concept, to boost social and economic development, further expand urban framework, and step up the process of urban-rural integration, thus urban function is becoming better and better. At present, the development pattern of "Four-zone and One-base" has basically taken shape in Xi'an City, for instance, the construction of infrastructures have been obviously accelerated, hi-tech zone (XHTZ) and economic and technological development zone (XETDZ) have made remarkable achievements, Qujiang New District has accelerated its development, ChanBa Ecological District and Yanliang National Aviation Industrial Base have been established, all of which have laid solid foundation for further investment promotion. By cooperating to create national sanitary city and environmental protection model city, Xi'an's urban image and appearance have been improved constantly, urban level has been upgraded, and the central position of "One-line and Two-belt" has been further consolidated and strengthened.

As an important transport hub in China, Xi'an has witnessed rapid development of urban transport. As for aviation, there are four airports in Xi'an, such as Xianyang airport, Yanliang airport, Yaocun airport and Huxian County airport, of which Xianyang airport is the important air line in China and aviation hub in West China. As for railway, the Longhai-Lanxin Railway passes through Xi'an, starting from Lianyungang in the east to Urumchi in the west, linking Eurasia Continent together, and becoming the second Asia-Europe Continental Bridge. Xi'an Railway Station is one of the top 8 special passenger transportation stations in China, with more than 100 shifts of trains each day and over 30,000 passengers per day. As for highway, along with the completion of Xi’an-Baoji Expressway, Xi’an-Tongguan Expressway, Xi’an-Yumenkou Expressway, Xi’an-Huxian Expressway, Xi’an-Tongchuan Expressway, and Xi’an-Lantian Expressway, Airport Expressway and Bypass Expressway, the “Rice-typed” high-grade highway network, with Xi'an as the center, has taken shape basically. The traffic network has offered favorable conditions for passenger-cargo transportation between Xi’an
As the foundation of urban development, urban road network may achieve the normal operation of urban basic functions and boost socio-economic development as well. In recent years, along with huge investment of the government in urban transport and speedy construction, the construction level of urban transport infrastructures, service level and operational efficiency have been improved markedly, which have greatly supported national economic and social development. At present, the urban road network relying upon 1RR, 2RR, east-west axis, south-north axis and eight directional lines has taken shape basically; Urban 3RR and three connecting lines have already been initiated in an all-round way, and it is estimated that they can be put into operation by the end of 2007; The 1st-stage works (east section and west section) of elevated expressway have been available, and the 2nd-stage works are under preliminary preparation; The road network has also taken shape in XHTZ, XETDZ, and Qujiang New District. Through construction and reconstruction of urban roads, other urban infrastructures have also got improvement, and the appearance of urban roads has taken a new look.

After many years of efforts, great progress has been made in urban transport. Due to several restrictive factors, there still exist lots of problems, which are difficult to meet the demand for socio-economic development. As for urban road construction, the construction lags behind relatively, which cannot meet the rapid-growing traffic demand. Some regional roads suffer from overweight loads, so the traffic jams often take place. It is difficult to enter and leave the urban area, which is inconsistent with outskirts expressways. In the old urban area, the east-west and south-north primary roads suffer from excessive pressure. There are few pedestrian facilities, so the pedestrians and NMVs have exerted great impacts upon MVs. In addition, the construction lags behind seriously at the parking lot, it is quite general to park at the roadside, thus the originally serious traffic problems have been even worsen. Lots of problems and contradictions in sustainable development such as environment, energy and land resources arising from transport are still very outstanding.

In the “11th Five-Year Plan” period, we will give top priority to implementing the scientific development view, building the well-off society in an all-round way, accelerating internationalized, marketization, culture-orientated and ecological process, and then building the international modernized large city with historical and cultural characteristics. It is inevitable to set up high-efficient, convenient and environmental modernized transport system, perfect urban infrastructure system, and comprehensively enhance urban service functions.

1.2 Construction Contents

The Project mainly contains 1RR, 2RR, and South Taibai Road interchange, as shown in the below:
1. South Gate-South 1RR transport comprehensive administration works;
2. Yuxiangmen Gate interchange;
3. East Gate interchange;
4. East 2RR-North 2RR interchange;
5. East 2RR-South 2RR interchange;
6. South Taibai Road - East Zhangba Road interchange.

The purpose of building these works is mainly to combine the urban development trend to gradually perfect the structure of road network, improve the traffic capacity of road network, rationally distribute the traffic flow of pedestrians, NMVs and MVs, so that the traffic may be secure, smooth, convenient and sequential.

1.3 Construction Scale

The proposed project contains two grade-separated interchanges and four separated interchanges, with overall construction scale as shown in Table 1.1.

**Table 1.1 Scale of Proposed Works**

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>Location</th>
<th>Length or Area (Km or m²)</th>
<th>Planned width of road (m)</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.</td>
<td>IRR works</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>South Gate-South IRR transport comprehensive administration works</td>
<td>South 1RR interchange-East 1RR interchange</td>
<td>3.9 (Km)</td>
<td>40</td>
<td>Reconstruction</td>
</tr>
<tr>
<td>2</td>
<td>Yuxiangmen Gate interchange</td>
<td>West 1RR-Daqing Road crossing</td>
<td>0.75 (Km)</td>
<td>40</td>
<td>Reconstruction</td>
</tr>
<tr>
<td>3</td>
<td>East Gate interchange</td>
<td>East 1RR-Dongguanzheng Street crossing</td>
<td>1 (Km)</td>
<td>40</td>
<td>Reconstruction</td>
</tr>
<tr>
<td>II.</td>
<td>2RR works</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>East 2RR-North 2RR interchange</td>
<td>East 2RR-North 2RR crossing</td>
<td>6.15 (Km)</td>
<td>80, 100, 70</td>
<td>Reconstruction</td>
</tr>
<tr>
<td>2</td>
<td>East 2RR-South 2RR interchange</td>
<td>East 2RR-South 2RR crossing</td>
<td>0.85 (Km)</td>
<td>80, 75, 60, 80</td>
<td>Reconstruction</td>
</tr>
<tr>
<td>III.</td>
<td>Works between 2RR and 3RR</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
1.4 Measures for Reducing Project Impacts on Resettlement

1.4.1 Project planning and design stage

In order to reduce the impact on local society and economy in the project planning and design stage, the design unit has taken some effective measures:

In the planning stage, more considerations should be taken to the impacts on local society and economy while optimizing and comparing the schemes, and this should be taken as the key factor to optimize and compare the schemes.

Great efforts should be made to reduce the dug filling, in order to lower the impact of construction and transport.

The complete drainage system should be designed to prevent the pollutants from disorder discharging;

When selecting road scheme, great attempts should made to reduce the removal quantity of houses, and lighten the financial burden of affected residents.

1.4.2 Construction stage

a) Alleviate the impact on urban transport

The bigger environmental risks in construction period are mainly from improper organization or construction. Once the waste gas and noises produce, they will bring new pollution to the environment. As for the Project, we should not only organize the transport, but also guarantee especially the smooth transport of this road and the crossing roads, avoiding the environmental risks arising from traffic jams.

b) Measures to reduce the dust

(1) Road surface construction and concrete mixture factories should be set up in residential block and schools insensitive to environment, which is not only convenient for production, but also accords with hygienic requirements (the protective distance is 300m in hygienic protection distance). Open and semi-closed bitumen heating craft will not be adopted.

(2) Construction detour should be sprinkled regularly, and the transportation of powdered materials should be covered.

(3) Vehicles which exceed the exhaust standard should be forbidden to run on the roads.

(4) If using fly ash, lime and cement and soil bitumen in the construction, measures should be taken to prevent the flying dust and dust pollution, such as mixing the admixture, or spraying the lubricant, or sprinkling water at any time.

c) Measures to lower the noises

(1) The distance between construction site and residential area should be less than 150m. In order to guarantee residents' night rest, the construction should be forbidden in certain period.

(2) Voluntary consultation should be made with units near the construction section to adjust the construction time or take other measures to attempt to reduce the interference of noises on the construction.
(3) Machines should be maintained specially, thus machines may produce the lowest noises; Arrange workers to operate the machines one by one, in order to reduce the time of contacting high noises; Distribute earplugs and helmets to workers who work long hours near the sound source, so that they can protect themselves.

(4) Concrete mixing sites should be far away from residential block, and great efforts should be made to forbid night construction, shorten time limit, and lighten the impact on resident's living environment.

c) Treatment of on-the-spot offal in construction area

1.4.3 RAP and implementation stage

If the land acquisition and removal cannot be avoided, the following measures should be taken to reduce the impact on locals:

- Strengthen the collection of basic materials, make in-depth analysis of local socio-economic situation and future development, establish the feasible RAP in combination with local actual conditions, and ensure that affected people are free from losses;
- Encourage the public to participate actively and accept the surveillance by the masses;
- Strengthen inside and outside monitoring, set up high-efficient and smooth feedback mechanism and channels, try to shorten information processing cycle, in order to timely resolve various problems appeared in implementation course.

2. Socio-economic Background of Project Area

2.1 Overview of Xi'an City

Xi'an, the capital of Shaanxi Province, is one of the four major ancient capitals in the world, enjoying equal reputation as Athens, Cairo and Rome. Thirteen dynasties had established their capitals here, such as Zhou, Qin, Han and Tang, etc. Located in north latitude 33°42'-34°46' and east longitude 107°40'-109°49', Xi'an is adjacent to Mt. Qinling in the south and to Weihe River in the north. Xi'an is in the middle part of Guanzhong Basin in the middle reaches of Yellow River in Inland China. Xi'an is 204km from east to west and 116km from south to north, with land area of 10,108 km² and urban area of 3,582 km². Xi'an has 8.23 million permanent residents, 7.5311 million registered population, 2.0704 million households, and the density of population is 814 persons/km². There are 9 districts and 4 counties in Xi'an, namely, Xincheng District, Beilin District, Lianhu District, Baqiao District, Weiyang District, Yantan District, Yanliang District, Lintong District and Chang'an District, as well as Lantian County, Zhouzhi County, Huxian County and Gaoling County. In recent years, along with the rejuvenation of Xi'an imperial city, protection of historical and cultural legacies, the development of "Xi'an-Xianyang" integration, and northern transfer of Xi'an administrative center, the urban framework of Xi'an has been further expanded and urban functions been better and better. Centering around the central urban area, Xi'an is developing the "Rice-shaped" transport pattern, reaching Lintong in the east, Xianyang in the west, Chang'an in the south, Sanyuan in the north, Yanliang in the northeast, Lantian in the southeast, Huxian County in the southwest and Airport in the northwest, featuring the "Large Nine Palace" development pattern of "One-city and Multiple-center".

Xi'an is the largest central city in middle and west region of China and also the scientific and educational center in West China. Xi'an has taken the lead in such application technologies as aviation, spaceflight, arms, machinery, electronics, communication,
instrument, optics, light textile, and electric devices, etc. Besides, Xi'an is also the manufacturing center in China, the transport and communication center in Inland China, the logistics and trading center in east-west region, and the historical and cultural tourist center in China. In recent years, Xi'an has taken the historical opportunity of West Development Programme and relied upon unique geographical advantages and industrial advantages of education, scientific research, culture, equipment manufacturing, and high technologies, under the guidance of "internationalized, marketization, culture-orientated and ecological" urban development concept, to boost social and economic development. At present, the development pattern of "Four-zone and Two-base" has taken shape basically in Xi'an City, namely, Xi'an Hi-tech Zone (XHTZ), Xi'an Economic and Technological Development Zone (XETDZ), Qujiang New District, Chanba Ecological District, Yanliang National Aviation Industrial Base and Xi'an Spaceflight Technology Industrial Base. Nowadays, the six leading industries such as hi-tech industry, equipment manufacturing, tourist industry, modern service industry and cultural industry have become the strong economic growth point in Xi'an. In 2006, total output value of Xi'an reached up to RMB 145.002 billion Yuan, per capita output value up to RMB 17,794 Yuan, the value-added of primary industry up to RMB 7.073 billion Yuan, the value-added of secondary industry up to RMB 61.526 billion Yuan, the value-added of tertiary industry up to RMB 76.403 billion Yuan. The annual average salary of workers was RMB 20,316 Yuan, per capita disposable income of urbanite was RMB 10,905 Yuan, farmer's per capita net income was RMB 3,809 Yuan, per capita housing area of urban resident and rural resident was 23.15m² and 40.05 m² respectively. The available fixed-asset investment of the whole society was RMB 106.662 billion Yuan, of which RMB 1.004 billion Yuan was invested in the primary industry, RMB 21.343 billion Yuan in the secondary industry (including RMB 20.648 billion Yuan in the industry), and RMB 74.837 billion Yuan in the tertiary industry. In the whole year, RMB 28.944 billion Yuan altogether was invested in "Four-district and Two-base", of which RMB 13.696 billion Yuan was invested in XHTZ, RMB 8.192 billion Yuan in XETDZ, RMB 5.162 billion Yuan in Qujiang New District, RMB 1.297 billion Yuan in Chanba Ecological District, and RMB 615 million Yuan in Yanliang Aviation Industrial Base.

| Table 2.1 Summary of Major Indicators in Socio-economic Development of Xi'an City |
|---------------------------|-----------|---------|---------|---------|---------|-----------|
| Indicator                 | Unit      | 2002    | 2003    | 2004    | 2005    | 2006      | Growth rate of 2006 compared with that of 2001 (%) |
| Regional total output value | RMB 100 million Yuan | 826.68 | 946.66 | 1102.39 | 1270.14 | 1450.72 | 86.5 |

8
<table>
<thead>
<tr>
<th>Per capita total output value</th>
<th>RMB Yuan</th>
<th>11831</th>
<th>13341</th>
<th>15294</th>
<th>15859</th>
<th>17794</th>
<th>73.0</th>
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<tbody>
<tr>
<td>Value added of all industries</td>
<td>RMB 100 million Yuan</td>
<td>280.20</td>
<td>324.88</td>
<td>383.46</td>
<td>419.99</td>
<td>470.24</td>
<td>98.8</td>
</tr>
<tr>
<td>Fixed-asset investment of the whole society</td>
<td>RMB 100 million Yuan</td>
<td>338.15</td>
<td>478.10</td>
<td>646.49</td>
<td>853.10</td>
<td>1066.62</td>
<td>270.7</td>
</tr>
<tr>
<td>Total retail volume of social consumables</td>
<td>RMB 100 million Yuan</td>
<td>459.76</td>
<td>502.65</td>
<td>578.60</td>
<td>666.48</td>
<td>776.20</td>
<td>91.0</td>
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<tr>
<td>Total output of grain</td>
<td>10,000 tons</td>
<td>192.41</td>
<td>176.34</td>
<td>195.75</td>
<td>205.53</td>
<td>212.85</td>
<td>8.0</td>
</tr>
<tr>
<td>Total financial revenue</td>
<td>RMB 100 million Yuan</td>
<td>118.73</td>
<td>144.43</td>
<td>164.53</td>
<td>202.49</td>
<td>236.97</td>
<td>129.6</td>
</tr>
<tr>
<td>Local fiscal revenue</td>
<td>RMB 100 million Yuan</td>
<td>60.07</td>
<td>72087</td>
<td>86.06</td>
<td>83.97</td>
<td>96.31</td>
<td>139.5</td>
</tr>
<tr>
<td>Total export/import volume of foreign trade</td>
<td>US$ 100 million</td>
<td>18.70</td>
<td>23.09</td>
<td>30.93</td>
<td>39.01</td>
<td>41.54</td>
<td>144.5</td>
</tr>
<tr>
<td>of which: export</td>
<td>US$ 100 million</td>
<td>11.24</td>
<td>14.03</td>
<td>20.35</td>
<td>26.34</td>
<td>27.29</td>
<td>210.5</td>
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<tr>
<td>Actual utilization amount of FDI</td>
<td>US$ 100 million</td>
<td>2.03</td>
<td>2.56</td>
<td>2.76</td>
<td>5.71</td>
<td>8.25</td>
<td>366.1</td>
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<tr>
<td>Number of tourists received</td>
<td>10,000</td>
<td>1984.13</td>
<td>1647.64</td>
<td>2149.00</td>
<td>2423.56</td>
<td>2738.73</td>
<td>56.3</td>
</tr>
<tr>
<td></td>
<td>persons</td>
<td></td>
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<tr>
<td><strong>Total tourism income</strong></td>
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<tr>
<td>RMB 100 million Yuan</td>
<td>131.00</td>
<td>106.42</td>
<td>154.40</td>
<td>178.50</td>
<td>204.30</td>
<td>80.8</td>
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<tr>
<td><strong>Investment in urban construction</strong></td>
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<tr>
<td>RMB 100 million Yuan</td>
<td>75.83</td>
<td>97.7</td>
<td>128.07</td>
<td>145.60</td>
<td>181.96</td>
<td>117.6</td>
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<tr>
<td><strong>Per capita road area</strong></td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>m²</td>
<td>5.43</td>
<td>6.24</td>
<td>7.96</td>
<td>8.11</td>
<td>8.40</td>
<td>55.3</td>
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<tr>
<td><strong>Public vehicles per 10,000 persons</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vehicles</td>
<td>8.25</td>
<td>10.37</td>
<td>11.42</td>
<td>12.38</td>
<td>12.60</td>
<td>65.6</td>
<td></td>
</tr>
<tr>
<td><strong>Number of newly-added urban employment people</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10,000 persons</td>
<td>6.42</td>
<td>6.94</td>
<td>7.48</td>
<td>7.85</td>
<td>8.37</td>
<td>30.4</td>
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<tr>
<td><strong>Per capita disposable income of urban residents</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>RMB Yuan</td>
<td>7184</td>
<td>7748</td>
<td>8544</td>
<td>9628</td>
<td>10905</td>
<td>62.6</td>
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<tr>
<td><strong>Farmer’s per capita disposable income</strong></td>
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<tr>
<td>RMB Yuan</td>
<td>2641</td>
<td>2838</td>
<td>3143</td>
<td>3460</td>
<td>3809</td>
<td>53.0</td>
<td></td>
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<tr>
<td><strong>Housing selling price index</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Last year = 100</td>
<td>101.1</td>
<td>101.4</td>
<td>105.0</td>
<td>104.3</td>
<td>103.6</td>
<td></td>
<td></td>
</tr>
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</table>

(Data source: Xi'an Municipal Bureau of Statistics)

2.2 Socio-economic Background of Beilin District

Beilin District, located in the central area of Xi'an City, is the political, economic and cultural center of Xi'an, and also the most flourishing place. With an area of 22km², the District has 8 subdistrict offices, 102 communities, 15 administrative villages and 710,000 population. It was named Beilin District just because the “Forest of Stone Tablets” lies in the district, which is famous at home and abroad. Featuring time-honored history and numerous historic sites, Beilin District has well-known “Forest of Stone Tablets”, well-preserved city wall, small wild goose's pagoda, Baoqing Temple, Wolong Temple, Baxian Temple, etc. Here, the book center, temple, city wall, block streets, decorated archway and ancient-style buildings all have distinctive patterns; The combination of Confucianism’s culture, Buddhism’s culture, Taoism’s culture, folk culture, and goldstone culture has developed Beilin District into the most attractive urban area in the northwest region of China. As the economic center of Xi'an, Beilin District has more than 50 professional markets and
wholesale markets, focusing upon textiles, non-staple food, handicraft, and clothes, etc., so it has been more attractive in western provinces and even the whole China. In addition, Beilin District has walking street, business street, luxurious and magnificent commercial buildings, which has become the core assembling area for the tertiary industry of Xi’an.

Beilin District is also the important scientific research and educational base in Xi’an. There are more than 17 universities and colleges, 131 R&D institutions, and 25,000 skilled technicians. In the whole district, the junior college students account for 34% of all people, so it is real scientific research, educational and cultural district. In particular, Beilin Technology Industrial Park subordinated to Xi’an Hi-tech Industries Development Zone, which covers an area of 6.08km², has attracted more than 100 foreign enterprises from all over the world with its strong scientific and technological capability, high-efficient management services, preferential investment policies, and modernized facilities for scientific research, production and living, showing a good development momentum. In 2006, the total output value of Beilin District reached up to RMB 14.466 billion Yuan, increased by 12.1%, local fiscal revenue up to RMB 878.59 million Yuan, total industrial output value up to RMB 3.025 billion Yuan (of which the scaled total industrial output value was RMB 2.3 billion Yuan, and industrial added value was RMB 725 million Yuan); the total fixed-asset investment of the whole society was RMB 11.2 billion Yuan (of which the fixed-asset investment was RMB 9,113.14 million Yuan and urban fixed-asset investment was RMB 3,001.81 million Yuan).

2.3 Social and economic background of Lianhu District

Lianhu District, situated at the northwest of Xi’an, is one of the central urban areas of Xi’an and the starting point of the famous “Silk Road.” With a total area of 41.13m², it administers 7 sub-district offices, 107 communities, and 35 village committees. The total population in the district is 730,000, and their nationalities including Han, Hui, Man, Mongolia, Korea, Zhuang, Tujia, and Zang. The population of Hui Nationality is 32,318, accounting for 5.1% of the total. The district is connected with Xilan Expressway at the west and Xiwan Expressway at the south. A special expressway leads to Xi’an Xianyang International Airport directly, and Longhai Railway crosses the district to the north. All of these render quick and convenient traffics. Xi’an Railway West Station, the largest east-west material exchange railway hub, is situated at the north of the district. There are around 60 storehouses of all sizes at the north of the district, being the largest material distributing center in the northwestern region.

Lianhu District boasts a variety of cultural relics and rich tourism resources. These famous ancient scenic spots include Xi’an’s symbols Bell Tower and Drum Tower, embrasure watchtower of West Gate connecting the ancient city walls stored most completely in our country so far, one of the four largest mosques in our country Huajue Temple, Guangren Temple built in the reign of Kangxi Emperor of Qing Dynasty being the exclusive Xizang Mizong Huang Temple, where the tenth Dalailama, ninth Panchen Lama, and tenth Panchen Lama once expound the texts of Buddhism. Zhiyuan is the residence of the famous patriotic general Yang Hucheng and an important part of the site of “Xi’an Incident.” In addition, national caterings and foods also possess distinct characters, including “Tongshengxiang” shredded cakes in mutton and beef soup, Jiasan soap-filled dumpling, Nianzhipo Old Tong Family smoke-cured mutton, and “Defachang” dumpling banquet, all of which are famous both at home and abroad.
There are also the "electrician city" and "navigation city" built in the "First Five-year Plan" and "Second Five-year Plan" of country and over ten colleges and universities, secondary professional schools, and scientific research institutions in Lianhu District. So far, there has formed the multi-subject, multi-category, multi-level, and multi-economic sector high-tech enterprise group integrating electronics, new material, new energy, biological technology, and electric and mechanics. It also puts forward the economic development idea of "One line, five areas, and four platforms," namely the five new areas radiating to the peripheral parts with the west section of the South Second Ring Road—West Second Ring Road—and the west section of North Second Ring Road, the economic and technical development area at the north and the hi-tech industrial development zone at the south, and an economic corridor from the south to north at the west part of Xi'an. Relying on historical and cultural resources and in the light of urban road widening, the district will restore the tourism sightseeing area of Chenghuang Temple, develop scenic spots such as Xiwutai and Guangren Temple, accelerate the reform of the historical street block in the region, and form tourism commercial area integrating history and culture, national catering, tourism and shopping, and recreation and entertainment to build the tourism development platform. In 2006, the production output in the district is RMB 15.91 billion Yuan a year-on-year rise of 11.4%; local financial income RMB 838.77 million Yuan, social consumer products retailing volume RMB 1.4033 million Yuan, and fixed asset investment RMB 11.2 billion Yuan.

2.4 Social and economic background of Weiyang District

Weiyang District, situated at the north of Xi'an, is the center of the urban frame “Nine-palace Pattern” of Xi'an. With the construction of the big Xi'an, integration of Xi'an and Xianyang, and north move of Xi'an administrative center, Weiyang District will become the locus of the future administrative center of Xi'an. At present, it administers 10 sub-district offices and 47 communities, with the total area being 262m² and population 540,000. There are Xi'an National Hi-tech Industrial Development Zone, National Export Processing Area in the west area of the district, being the sole "national star-technology concentrated area of Xi'an approved by the Ministry of Science & Technology." There is also the Chanba Ecological Park at the east area of the district. The district also boasts three national key cultural relic protection units, 47 ancient sites, and 67.5m² of protected areas, including key ancient site protection area of 43.9m², making 8p 25.85% of the total land area in the district, being the locus of Chang'an City of Han Dynasty. At present, Weiyang District is ranked top among all districts and counties in our country in the number, area, and grade of ancient sites, including Qin Epang Palace, Han Weiyang Palace, Tang Daming Palace, and Han Chang'an City. The traffic there is also convenient as well. As the important traffic and transport hub of Shaanxi Province, it is only 17km away from Xi'an Xianyang International Airport. Since western region development, infrastructure facilities in the district have been enhanced greatly, economic and social development entered a rapid-expanding period. With the construction of the new rural areas and the adjustment of rural industrial mix, tourism is becoming a new highlight of Weiyang District. The new passenger station of Xi'an will be located in Weiyang District, and the trial section of No. 2 Subway of Xi'an has started construction. In 2006, the production output was RMB 13.968 billion, social fixed asset investment RMB 13.307 billion, social consumer retailing volume RMB 655,200 Yuan, local financial income RMB 680.18 million Yuan, and farmer net income per capita RMB 4,800 Yuan.

2.5 Social and economic background of Yanta District

Yanta District is situated at the south suburb of Xi'an City. With the total area being 152m² and population 1.03 million, it administers 8 sub-district offices, 85 communities, and 120 administrative villages. Historic sites and famous tourism spots in the district include the
Big Wild Goose Pagoda, Qinglong Temple, Han Yuandi Duling, Qujiang Pool Site, and Shaanxi History Museum. There are also large sports and cultural facilities such as Xi'an International Expo Center, 22 colleges, 12 private schools, 55 provincial and above scientific research institutes, and 138,000 technicians of all specialties. Xi'an National Hi-tech Industrial Development Zone, Qujiang New District, and Chanba Ecological Area are also located here. It is the famous scientific, education, cultural, and tourism district in our country.

In 2006, the production value in Yanta District is RMB 25.208 billion Yuan, a year-on-year rise of 17%; local financial income RMB 680 million Yuan, up by RMB 142 million Yuan; fixed asset investment RMB 32.95 billion Yuan, a year-on-year rise of 34.4%; industrial added value above the scale RMB 5.119 billion Yuan, a year-on-year rise of 20.4%; social consumer product retailing volume RMB 11.814 billion Yuan; foreign investment US $ 50.538 million, a year-on-year rise of 59%; foreign direct investment US $ 33.845 million, a year-on-year rise of 52.5%; domestic investment utilized RMB 2.4065 billion Yuan, a year-on-year rise of 37.12%; and farmers’ net income per capita RMB 5,020 Yuan.

3. Project impact analysis

The project includes South Gate and Around-the-city South Road traffic comprehensive treating project, Yuxiang Gate intersection project, East Gate intersection project, East Second Ring Road-North Second Ring Road intersection project, East Second Ring Road-South Second Ring Road intersection project, Taibai South Road-Zhangba East Road intersection project, urban pedestrian bridge and underground channel, totally seven projects. In terms of the overall urban planning of Xi’an, red line scope and construction area of the above roads planned shall be taken as the construction land of the project, based on which the land requisitioning and relocation scopes are determined.

To have a good knowledge of relocation, Xi’an Municipal Design and Research Institute, after receiving the circular on formulating the project feasibility report from the city project office on July 14, 2006, carried out the preliminary investigation on migrant relocation measurement. From October 9 to 21, 2006, experts of the World Bank carried out the sixth inspection and examination and put forward some value suggestions and advices. Xi’an Municipal Design and Research Institute then made further exploration and inspection on the working site. On the basis traffic investigation and analysis result of Chang’an University and in the light of inspection and examination suggestions of the World Bank experts, it made adjustment to the quantity of the projects after the consultation with relevant departments, and made argumentation on the project’s construction condition, technical standard, construction scale, and project feasibility.

Relocation planning project group of Shaanxi Academy of Social Sciences, upon the formal entrustment of Xi’an Development & Reform Commission for formulating the migrant relocation plan on January 19, 2007, organized personnel to inspect the site of Xi’an urban road network improvement project on January 25, and made the second site investigation into migrant relocation with the company of relevant responsible persons of Xi’an Municipal Design and Research Institute on March 19. The project group made the detailed investigation
into affected resident families in the way door-to-door visit and conversation. Investigation covered the number of migrants, area of relocated houses, affected population, and income sources. Migrants participated in the measuring of practical materials to be relocated. The investigation team also listened to residents’ suggestions on land requisitioning and migrant relocation and discussed about their suggestions extensively.

In terms of project land requisitioning scope, the project team determined the main quantity of land requisitioning and relocation of each project. The following measuring data of practical materials to be relocated are provided by the Xi’an municipal administrative committee. The data is likely to be further adjusted in the process of project construction. For details please see Migrant Land Requisition Practical Measuring Collection 3.1.

### Table 3.1 Migrant Land Requisition & Relocation Practical Material Measuring & Investigation Collection

<table>
<thead>
<tr>
<th>No.</th>
<th>Project name</th>
<th>Area of requisitioned land (mu)</th>
<th>Area of houses relocated (m²)</th>
<th>Number of electric pole moved</th>
<th>Number of street trees moved</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>South Gate and Around-the-city South Road traffic comprehensive treating project</td>
<td>3.2</td>
<td>3900</td>
<td>258</td>
<td>1279</td>
</tr>
<tr>
<td>2</td>
<td>Yuxiang Gate intersection project</td>
<td>3.1</td>
<td>2145</td>
<td>63</td>
<td>94</td>
</tr>
<tr>
<td>3</td>
<td>East Gate intersection project</td>
<td>3.45</td>
<td>/</td>
<td>15</td>
<td>159</td>
</tr>
<tr>
<td>4</td>
<td>East Second Ring Road-North Second Ring Road intersection project</td>
<td>20</td>
<td>14637</td>
<td>12</td>
<td>27</td>
</tr>
<tr>
<td>5</td>
<td>East Second Ring Road-South Second Ring Road intersection project</td>
<td>14</td>
<td>/</td>
<td>22</td>
<td>130</td>
</tr>
<tr>
<td>6</td>
<td>Taibai South Road-Zhangba East Road intersection project</td>
<td>55.2</td>
<td>100</td>
<td>12</td>
<td>1550</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>98.95</td>
<td>20782</td>
<td>382</td>
<td>3239</td>
</tr>
</tbody>
</table>

#### 3.1 Impact of permanent land requisition

The project needs to requisition permanent land of 98.95 mu, including state-owned land of 17.45 mu and collective land of 81.5 mu. Collective lands involved in the project have been listed in the “village-in-city” rebuilding plan of Xi’an. Local residents have been
accustomed to urban living and production way and do not rely on lands to make a living. Therefore, land requisition has little impact on their production and living.

3.2 Permanent Land Requisition Impact Schedule

<table>
<thead>
<tr>
<th>Project name</th>
<th>Land area</th>
<th>Including</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Gate and Around-the-city South Road traffic comprehensive treating project</td>
<td>3.2</td>
<td>/</td>
</tr>
<tr>
<td>Yuxiang Gate intersection project</td>
<td>3.1</td>
<td>/</td>
</tr>
<tr>
<td>East Gate intersection project</td>
<td>3.45</td>
<td>3.45</td>
</tr>
<tr>
<td>East Second Ring Road-North Second Ring Road intersection project</td>
<td>20</td>
<td>/</td>
</tr>
<tr>
<td>East Second Ring Road-South Second Ring Road intersection project</td>
<td>14</td>
<td>14</td>
</tr>
<tr>
<td>Taibai South Road-Zhangba East Road intersection project</td>
<td>55.2</td>
<td>/</td>
</tr>
<tr>
<td>Total</td>
<td>98.95</td>
<td>17.45</td>
</tr>
</tbody>
</table>

3.2 Affected resident houses

The project requires demolishing resident houses of 17,251 square meters, all of which are brick-concrete structure.

Table 3.3 Affected Resident House Schedule

<table>
<thead>
<tr>
<th>Sub-project name</th>
<th>House area (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Subtotal</td>
</tr>
<tr>
<td>South Gate and Around-the-city South Road traffic comprehensive treating project</td>
<td>3900</td>
</tr>
<tr>
<td>Yuxiang Gate intersection project</td>
<td>/</td>
</tr>
<tr>
<td>East Gate intersection project</td>
<td>/</td>
</tr>
<tr>
<td>East Second Ring Road-North Second Ring Road intersection project</td>
<td>13351</td>
</tr>
</tbody>
</table>
### 3.3 Affected non-resident houses

The project requires demolishing non-resident houses of 3,532m$^2$, most of which are brick and concrete structure as well.

#### Table 3.4 Affected Non-resident House Schedule

<table>
<thead>
<tr>
<th>Sub-project name</th>
<th>House area (m$^2$)</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Subtotal</td>
<td>Brick</td>
<td>concrete</td>
</tr>
<tr>
<td>East Second Ring Road-South</td>
<td></td>
<td>/</td>
<td>/</td>
</tr>
<tr>
<td>Second Ring Road intersection project</td>
<td></td>
<td>/</td>
<td>/</td>
</tr>
<tr>
<td>Taibai South Road-Zhangba East</td>
<td></td>
<td>/</td>
<td>/</td>
</tr>
<tr>
<td>Road intersection project</td>
<td></td>
<td>/</td>
<td>/</td>
</tr>
<tr>
<td>Total</td>
<td>17251</td>
<td>17251</td>
<td></td>
</tr>
</tbody>
</table>

### 3.4 Affected population

The project will affect 412 persons, including 232 ones because of the relocation of resident and 180 because of the relocation of non-resident houses.

#### Table 3.5 Affected Population Schedule

<table>
<thead>
<tr>
<th>Sub-project name</th>
<th>House area of enterprises and institutions (stores) (m$^2$)</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Subtotal</td>
<td>Brick</td>
<td>concrete</td>
<td>Simple</td>
</tr>
<tr>
<td>South Gate and Around-the-city South</td>
<td>/</td>
<td>/</td>
<td>/</td>
<td>/</td>
</tr>
<tr>
<td>Road traffic comprehensive treating project</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yuxiang Gate intersection project</td>
<td>2145</td>
<td>2145</td>
<td>/</td>
<td>/</td>
</tr>
<tr>
<td>East Gate intersection project</td>
<td>/</td>
<td>/</td>
<td>/</td>
<td>/</td>
</tr>
<tr>
<td>East Second Ring Road-North Second Ring</td>
<td>1287</td>
<td>1287</td>
<td>/</td>
<td>/</td>
</tr>
<tr>
<td>Road intersection project</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>East Second Ring Road-South Second Ring</td>
<td>/</td>
<td>/</td>
<td>/</td>
<td>/</td>
</tr>
<tr>
<td>Road intersection project</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Taibai South Road-Zhangba East</td>
<td>100</td>
<td>/</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Road intersection project</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>3532</td>
<td>3432</td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>
3.5 Affected ground attachments

Table 3.6 Affected Ground Attachments & Public Facilities

<table>
<thead>
<tr>
<th>Materials to be relocated</th>
<th>Unit</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electric pole</td>
<td>1</td>
<td>382</td>
</tr>
<tr>
<td>Street trees</td>
<td>1</td>
<td>3239</td>
</tr>
</tbody>
</table>

4. Social and economic state investigation of affected people

To better know the social and economic condition of the affected area and basic condition of affected population, we had made spot investigation on the affected area from January to March 2007 according to requirements of the World Bank and offered basic data for project analysis. Investigation was carried out in the combined way of questionnaire and conversation. Spot investigation involved 20 families (one third of the total) affected by the project and main enterprises and shops affected.

4.1 Spot investigation on affected urban families

Residents affected by the project are around the East Second Ring Road and North Second Ring Road, totally 45 families. The area is under the administration of Weiyang District, and affected residents are villagers of Xi Village, Xinjiamiao. Through investigation we discovered that families to be relocated are all “village-in-city” residents. Their houses are basically 3-4-storey buildings covering floor area of around 200-400 m² per building. 80% of the houses are rented, and 20% for their own living. Houses at the first floor facing streets are rented to businessmen and become various shops and stores engaged in catering, garage, and grocery. Houses not facing streets and top storeys are rented by temporary workers in Xi’an. At present, house rent in the area is basically RMB 10-30 Yuan per square meter per month. House renting is the major income source of local residents, which is also the common living and production way of “village-in-city” residents.

With the expanding of Xi’an in recent years, Xi’an has started the “village-in-city” rebuilding project. The villages have brought under the rebuilding plan of Xi’an, and residents are mentally ready for house demolishing and relocation.

According to our investigation, local residents worry about their living after house demolishing but understand the benefits of the project to the local economic and social
development. As for the relocation way, they prefer to cash compensation. After their houses are demolished, they can use their cash compensation to purchase houses and make investment, and their living standard will not be affected greatly.

4.2 Investigation on affected enterprises and institutions as well as stores

According to our site investigation, Xi'an urban road network improvement project will affect five enterprises, two institutions, and two public infrastructure facilities. See Table 4.1 for details.

Table 4.1 Collection of Enterprises and Institutions and Stores Affected by Xi'an Urban Road Network Improvement Project

<table>
<thead>
<tr>
<th>Affected unit</th>
<th>Unit property</th>
<th>Position</th>
<th>Content</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shaanxi Heavy Machine Plant</td>
<td>State-owned enterprise</td>
<td>East Second Ring Road-North Second Ring Road intersection</td>
<td>A three-storey simple tube-shaped apartment, around 900m²; rented stores are engaged in catering and accommodation. Demolishing does not affect the enterprise’s production. Businessmen affected can rent new houses to continue their operation.</td>
</tr>
<tr>
<td>Weiyang District Yuxin Infants’ School Weiyang District Yuxin Elementary School</td>
<td>Undertaking unit</td>
<td>East Second Ring Road-North Second Ring Road intersection</td>
<td>A three-storey building near the road of Weiyang District Yuxin Infants’ School Weiyang District Yuxin Elementary School. After the relocation, there is still a bare land in the school, which can be used for building new office buildings.</td>
</tr>
<tr>
<td>Chemical Universal Mechanical Plant</td>
<td>State-owned enterprise</td>
<td>Yuxiang Gate intersection</td>
<td>The project requires demolishing the enterprise’s simple store, which sells automobile spare parts. Demolishing does not affect the company’s production. Businessmen affected can rent new houses to continue their operation.</td>
</tr>
<tr>
<td>Xi'an Compressor Plant</td>
<td>State-owned enterprise</td>
<td>Yuxiang Gate intersection</td>
<td>The project requires demolishing the enterprise’s simple store, which is engaged in automobile spare parts, mechanic, and automobile repair. Demolishing does not affect the company’s production. Businessmen affected can rent new houses to continue their operation.</td>
</tr>
<tr>
<td>Haina Xi’an Automobile Part Market</td>
<td>Private enterprise</td>
<td>Yuxiang Gate intersection</td>
<td>The project requires demolishing a two-storey simple building of the market facing the street. It is rented. Continue their operation.</td>
</tr>
</tbody>
</table>
| Carder Training Center of Shaanxi | Undertaking unit | Yuxiang Gate intersection | The project requires demolishing 8 stores facing the street, which sell
Resettlement Action Plan under Xi’an Urban Road Network Improvement Project

<table>
<thead>
<tr>
<th>Civil Administration</th>
<th>Public facilities</th>
<th>South Gate intersection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yatong Dream Park</td>
<td>South Gate</td>
<td></td>
</tr>
<tr>
<td>Songyuan Park</td>
<td>A bare land of the recreation part will be requisitioned, but this will not affect the operation of the park</td>
<td></td>
</tr>
</tbody>
</table>

5. Relevant migration laws and policies
5.1 Laws and policies for migration relocation
5.1.1 State laws and rules

   The Land Administration Law of the People’s Republic of China (implemented on and since August 28, 2004)

   Implementation Regulations for PRC Law of Land Administration (implemented on and since August 28, 2004)

   The Law of the People’s Republic of China on Urban Real Estate Administration (implemented on and since January 1, 1995)

   Regulations for Management of Urban House Demolition (implemented on and since November 1, 2001)

5.1.2 Rules and policies of Shaanxi Province

   Measures of Shaanxi Province on Implementing ‘The Land Administration Law of the People’s Republic of China’ (implemented on and since January 1, 2000)

   State-owned Land Using Right Remise & Transfer Rule of Shaanxi Province

   Detailed Rule of Shaanxi Province on Implementing ‘Regulations on the Protection of Basic Farm’ (implemented on and since April 4, 1996)

   Construction project Uniform Land Requisition Measures of Shaanxi Province (implemented on and since March 1, 2002)

   Urban House Demolition Compensation Management Regulations of Shaanxi Province (implemented on and since December 1, 2003)

5.1.3 Rules and policies of Xi’an

   Interim Rules on Urban House Demolition Appraisal of Xi’an (implemented on and since June 10 2004)

   Detailed Rules on Urban House Demolition Appraisal of Xi’an (implemented on and since June 10 2004)

   The Fourth Urban Overall Planning of Shaanxi Province

5.1.4 Policies of World Bank

   World Bank operating policy OP4.12 Involuntary Migrant (December 2001)

   World Bank operating policy OP4.12 Attachment A Document of Involuntary Migrant

5.2 Articles of laws and policies involved in migrant relocation
5.2.1 Articles of laws and policies involved in land confiscation
5.2.1.1 Laws and rules of state-owned land requisition
The Land Administration Law of the People's Republic of China stipulates that any unit and individual should apply for using state-owned land according to laws if wanting to use lands for construction.

Article 44: Whereas occupation of land for construction purposes involves the conversion of agricultural land into land for construction purposes, the examination and approval procedures in this regard shall be required. Whereas agricultural land is converted into construction purposes as part of the efforts to implement the general plans for the utilization of land within the amount of land used for construction purposes as defined in the general plans for cities, villages and market towns, it shall be approved batch by batch according to the annual plan for the use of land by the organs that approved the original general plans for the utilization of land. The specific projects within the scope of land approved for conversion shall be approved by the people's governments of cities or counties.

Article 45: The requisition of the following land shall be approved by the State Council: (1) Basic farmland; (2) Land exceeding 35 hectares outside the basic farmland; (3) Other land exceeding 70 hectares.

Article 47: In requisitioning land, compensation should be made according to the original purposes of the land requisitioned. Compensation fees for land requisitioned include land compensation fees, resettlement fees and compensation for attachments to or green crops on the land. The land compensation fees shall be 6-10 times the average output value of the three years preceding the requisition 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 requisitioned by the per capital land occupied of the unit whose land is requisitioned. 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 requisition of the cultivated land. But the maximum resettlement fee per hectare of land requisitioned shall not exceed 15 times of the average annual output value of the three years prior to the requisition.

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 requisition.

Article 58: In one of the following cases, the land administrative departments of related people's governments shall recover the land use right of State-owned land with the approval of the people's governments that originally gives the approval or the people's governments with the power of approval: (1) Use land for the sake of public interests; (2) Use land for adjustment in re-building old city districts in order to implement urban construction plans;

5.2.1.2 Land requisition regulations and laws in Shaanxi Province

(I) Implementation of Land Management Measures of P.R.C in Shaanxi Province

Article 6: If the ownership, access or usage of land is changed legally, a change should be registered in the original land registration body within 30 days after approval.
If land access is legally pledged, pledgor and creditor should jointly apply registration for land access pledge from the original land registration body with pledge contract in hand.

If the name or address of land owner or user changes, a change registration should be done in the original registration body within 30 days after the change takes place.

Article 19: In the right of non-agricultural construction land, a “same assart as usage” principle should be followed, and the user should assart the same amount of land as what it has occupied according to general land usage planning. If it cannot assart or what it has assarted fails to meet the requirements in quality or quantity of the land it has occupied, it should pay land reclamation fees to land administrative agency in the city or the county. The land administrative agency should then be responsible for assart of land of the same quality and quantity as what the user has occupied. If a city or a county lacks of land to assart, its upper authority should get such land reclamation fees and organize land reclamation.

A special account should be established for land reclamation fees to fund assart of new land. It should not be deducted or appropriated.

Management measures for land reclamation and relevant charge standard are regulated by the People’s Government of Shaanxi Province.

Article 26: While feasibility study or project proposal is on the way, the construction organization should pre-apply construction land from land administrative authority, the peer of the body which agrees the construction project. Land administrative authority should review relevant issues concerning the land based on general land usage planning, annually planned land usage index and relevant state land supply policy and then propose preview report on construction land to the construction organization.

Article 27: After feasibility study report of the construction project has been approved, the construction organization should hold the approval and apply for land from land administrative authority of the city or the county of which the land belongs to. After the receipt of the application, the land administrative authority should examine and approve the application according to legal procedures and permission concerning the examination and approval of construction land.

Land administrative authority should announce procedures, standards, evidence and results of approval procedures for construction land.

Article 28: If a city or county has some districts, its land administrative authority should compile instructions for construction land and draft a proposal as follows when a construction land is applied.

(1) If state owned construction land or untouched state owned land is to be used, a land supply proposal should be drafted.

(2) If state owned agricultural land is to be used, from-agricultural land-to-other-use proposal, land makeup proposal or land supply proposal should be drafted.

(3) If farmer collectively owned construction land or untouched land is to be used, land requisition proposal and land supply proposal should be drafted.

(4) If farmer collectively owned agricultural land is to be used, land change proposal, cultivable land makeup proposal, land requisition proposal and land supply proposal should be drafted.

(5) If collectively owned farmer land is used to set up rural enterprises or villager house, rural public facilities and commonweal career, land supply proposal should be drafted. If
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agricultural land is occupied, agricultural-land-to-other use proposal and land makeup proposal should be drafted.

As for railway, highway, irrigation works and other key construction projects for the country that run across cities, the government of the province should expropriate land uniformly.

Article 29: Land compensation and resettlement subsidy should be paid according to standard compensation specified in Article 47 in Land Management Law of P.R.C. Land compensation, resettlement subsidy, coherence items on the land and compensation for green corns should be compensated according to the following standards.

(1) Compensation for agricultural land should be 4-6 folds of the average production value of medium land in the city (city, district) in three years prior to the requisition of the land, and compensation for other land should be 1-4 folds of that.

(2) Resettlement subsidy for other land that has been used should amount to 36%-60% of the compensation for medium agricultural land.

(3) Compensation for green corns should be 40%-90% of 3-year average annual production value of the land on which the corns are destroyed. Type, grade and unit compensation price of building and other on-the-land attachments should be decided by the government of the city (district) according to application, structure and how many years they had been used.

If land compensation and resettlement subsidy cannot maintain the original life of the villagers, extra resettlement subsidy should be arranged with the approval of the government of the province. However, the summation of land compensation and resettlement subsidy should not exceed 30 folds of the 3-year annual production value of the land that has been expropriated.

(2) Basic Farmland Protection Regulations

Article 11: once being determined, basic farmland protection area should not be changed or occupied by any organization or individual. If the address of key state construction projects concerning energy, traffic and irrigation works cannot avoid farmland protection area and must occupy land in the protection area, an Application for License of Farmland Use from land administrative authority in the county should be pulled down and filled in. After the permission by the land administrative authority in the county, then Basic Farmland Use License should be applied from land administrative authority in the provincial authority. The applicant should have the following documents while applying Basic Farmland Use License.

(1) Approval for Construction Project;

(2) Construction Land Application Form or Pre-engaged Land Application Form;

(3) Pre-discussion over Reclamation Fees for Use of Basic Farmland Protection Area

Article 12 After accept the application, provincial land administrative authority and agricultural administrative authority should jointly comments on the application and report it to the government of the province and License for Use of Basic Farmland will then be issued by provincial land administrative authority. After receiving License for Use of Basic Farmland, the construction organization can proceed examination and approval procedures according to examination and approval procedures and permission specified in Land Management Implementation Measures in Shaanxi Province.

Article 13 The organization that is approved to appropriate and use land within basic
farmland protection area for non-agricultural purpose should pay land reclamation fees to county land administrative authority besides payable fees and taxes stipulated by regulations and laws. The standards for land reclamation fees are as follows.

The first grade basic farmland accounts for 80%-100% of land compensation and resettlement subsidy while the second grade farmland accounts for 60%-80%.

5.2.2 Laws and policy
5.2.2.1 State regulations related to house demolition
Rules for Management of House Demolition specifies:

Article 6 Only if got demolition license can an organization carry out house demolition.

Article 8 While issuing house demolition license, the administrative authority responsible for house demolition should publicize house demolition organization, demolition range and demolition period and so on specified in the house demolition license by a house demolition declaration. The administrative authority and the demolition organization should promote the demolition and explain to those whose houses are to be dismantled in time.

Article 22 The demolition organization should compensate those whose houses are to be dismantled according to this statute.

Article 23 The demolition should be compensated by money or exchange of property right.

Article 24 The sum of monetary compensation is determined by property market assessment that is based on location, usage, construction acreage of the house to be dismantled. The details are determined by the government of a province, municipality or directly administrative city.

5.2.2.2 Relevant regulations concerning house demolition in Shaanxi Province
Rules for Management of Urban House Demolition and Removal Compensation in Shaanxi Province

Article 2 The rules apply when houses the planned urban area in Shaanxi Province are dismantled and the compensation caused by the demolition.

Article 5 House demolition license should be available for demolition of urban house. As for application, examination and issuance of house demolition license as well as demolition announcement, please conform to Regulation on the Dismantlement of Urban Houses published by the State Council.

Article 12 The demolition compensation should be based on a just and reasonable principle. The compensation sum should be determined by assessed price in property market.

The compensation should not cover illegally constructed building or temporary buildings that have exceeded the approved application period. If a temporary building is within the permitted application period, there should be some amount of compensation. If there were other regulations concerning the construction of the building, the compensation should be subject to them.

Article 14 The demolition organization and the affected people should reach an agreement on demolition compensation and resettlement within the period stated in the demolition announcement.

If monetary compensation is applicable, the agreement should include basic condition of the house to be dismantled, compensation sum, removal subsidy sum, fees for discharge and installation of domestic facilities, payment terms, payment period, removal period, breach responsibilities, solution to disputes and other contracted issues by both parties.
If property right exchange is applicable, the agreement should cover basic condition of the house to be demolished, the acreage, store, flat application function and facilities of the new house, market price of the old house and the new house, price difference and settlement method, transition method and transitional period, fees for discharge and installment of domestic facilities, removal subsidy and temporary resettlement subsidy sum, breach responsibilities, solution to disputes, and other issues contracted by both parties.

If the property right exchange covers under payment house, the transitional period for the multi-lay building should not exceed 18 months, and 24 months for high building.

The demonstrative document for removal-compensation agreement should be filed by provincial construction administrative authority.

Article 15 If both parties cannot reach agreement through negotiation, they can consign house assessment to a property assessment firm, or the demolition organization proposes two property assessment firms and the affected person select one from them to evaluate the market price of the house to be demolished. Both parties then sign removal-and-compensation agreement based on the assessment.

If either party is dissent to the assessment and disagrees to sign the agreement, the party can apply verdict from house demolition administrative authority in the city or the county. If house demolition administrative authority in the city or the county is the demolition organization, the party can apply verdict from the people’s government in the city or the county. The verdict should be made within 30 days after the receipt of the application.

The house demolition administrative authority will set up evaluation committee of experts. The government of the city or the county or house demolition administrative authorities will provide verdict according to experts opinions on house assessment.

If either party disagrees with the verdict, it can resort to local court against the verdict within 30 days after the arrival of the verdict statement. House demolition should not be affected during the lawsuit if the demolition organization has provided monetary compensation, resettlement house or transitional house to the affected person.

*Detailed Rules on Management of Urban House Demolition of Xi’an City*

Article 2 These rules are applicable if house demolition is within the city planning state owned land in the administrative area of the city and the affected person is to be compensated and resettled.

Article 3 The city house administrative authority is responsible for house demolition in the city. House Demolition and Removal Administrative Office of Xi’an is responsible for house demolition management in Xincheng District, Beilin District, Lianhu District, Yanta District, Weiyang District and Baqiao District.

House demolition administrative authorities in Lintong District, Yanliang District, Chang’an District and counties are responsible for house demolition management in their own district and are guided by house demolition administrative authority and House Demolition and Removal Administrative Office of Xi’an.

Administrative authorities concerning planning, construction, land, municipal facilities, police, industries and administrative bureau, education, labor and social security as well as the governments of the city and the districts should take their own responsibilities and co-ordinate in the management of house demolition.

Article 13 The demolition organization should make out resettlement plan and
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resettlement solution which should cover demolition range, house condition (usage character, acreage, ownership), demolition performer, and corresponding staff list, compensation solution (including compensation budget, capital source, the source of house for property right exchange, transitional house or other transitional measures), method and term for demolition, house dismantlement solution (including safety protection and environmental protection measures).

Article 15 The demolition organization and the affected person should legally sign an agreement for demolition and compensation, which should state the following:

Ownership, address, acreage, usage character and structure of the house to be demolished;
Method and standards for compensation and settlement method;
Removal period;
Ownership, address, acreage, usage character, structure, transitional method and transitional period of the transitional house should be clarified;
Breach responsibilities and solution to disputes
Other contracted issues
The demonstrative document for removal-compensation agreement should be filed by provincial construction administrative authority.

Article 25 The demolition can be compensated in monetary form or property right exchange is applicable. Unless otherwise specified in this rule, the affected person can select either compensation form.

Article 26 For monetary compensation form, assessment price of the house by the market should be determined by location, usage character, ownership and construction acreage of the house to be demolished. For property right exchange, except rented private house, residential house and non-residential house should be compensated according to the construction acreage. The price settlement should be subject to the following regulations.

(1) Compensation price should be the difference between the market assessed price of the house to be demolished and the new arranged house.

(2) If the affected person rents a house from state owned company and the owner gives up property right, then the housing acreage should be compensated based on the original cost, and extra acreage (excluding the increase in acreage specified by Article 34) should be compensated according to assessed price in property market. The assessment price in property market should be subject to Temporary Regulations for Urban Demolition House Assessment in Xi’an.

Article 38 If the demolition organization provides transitional house or new house or monetary compensation, it should not pay transitional subsidy to the affected person. If the demolished house is used for production or business purpose, the demolition caused temporary shutout, production break should be compensated with transitional subsidy according to Article 37 (2) and demolition range etc. If temporary shutout or production break is less than a month, it should be computed as one month.

If the demolition organization provides transitional house to the renter, the renter should pay the rent.

Article 39 When the transitional period exceeds the period specified in the agreement, the demolition organization should pay transitional subsidy of at least 2 folds of the original
transitional subsidy to the affected person since the date on which the specified period is exceeded. If the period is extended over 6 months, the subsidy should be at least 3 folds since the 7th month. If the transitional fees are paid in the form of salary as what is specified in Article 37 (2), the additional transitional subsidy should be paid according to what is stated in the demolition-and-removal agreement.

If transitional period is extended, the affected person and the renter should not pay rent to the demolition organization any more since the month when the extension takes place. Moreover, the demolition organization should pay 20% of the transitional subsidy of what is specified in Article 37 (2) to the affected person.

Article 40 Removal subsidy should be paid to the affected by the demolition organization according to the following standards.

1. RMB 1000 Yuan should be paid to each family of the affected person and individual business owner. For those that have been arranged with a new house or monetary compensation, each family should be paid RMB 500 Yuan.

2. A firm should be paid according to its removal work and cargo transportation freight in the city.

Article 41 If the removal involves equipment, the removal fees should be paid according to cargo transportation freight of the state, the province or the city. If equipments and materials are temporarily stored, rent subsidy should be paid according to the actual storage amount.

Article 42 If the compensation is a house, the acreage should be larger than the demolished house and the acreage of the smallest house should be no less than 45 square meters. The acreage difference between different types of houses should be less than 10 square meters. If two couples own the same private house and this conforms to regulations for property division, they should be arranged in two suits. For the acreage exceed the original certificate acreage, the price should be computed according to assessment price of the resettlement house.

Article 43 When resettlement houses are provided, the affected families should moved into them according to demolition sequence. The affected person and the renter should select houses themselves. If a family is arranged two suits, it should select one higher and lower store.

The standard for a multi-store building is as follow. The first and the second floor of a 3-store building are lower stories, and the third store is the higher store; the first, the second and the third floor of a 4-store building are lower stories, and the fourth floor is the higher store; the first, the second, the third and the fourth floor of a 5-store building are lower stories, and the fifth floor is the higher store; the first, the second, the third and the fourth floor of a 6-store building are lower stories, and the fifth and sixth floor are the higher store. The detailed division standards for high building and super-high buildings should be clarified in the demolition plan according to concrete situation.

5.3 The main missions for resettlement policy for non-volunteer immigrants
1. Explore other feasible solution to avoid or minimize non-volunteer immigrants.
2. If it is impossible to avoid immigrants, immigrants resettlement activities should considered and carried out as part of sustainable development. Considerable fund capital
should be provided to fund the project and enables the forced immigrants to enjoy the benefits of the project. The demolition organization should carefully discuss with the immigrants and create opportunities for them to take part in the planning and implementation of the immigrant solution.

3. Help immigrants to improve livelihood and living standard, or at least recover their living standard before removal or the common standard before the implementation of the project. The higher level of the living standards should be adopted as reference.

4. The affected people will benefit from the following.

   1) All their replacement costs should be compensated before removal.
   2) They will get help in the removal and be resettled during transitional period.
   3) They will get help in improving life so as to increase income and production level and at least maintain the previous income or living level. Special attention and help will be paid to specially poor families and their family members.

5. The problem of having no legal certificate for land or structure on the land is not an obstacle to compensation or equivalent subsidy.

6. Special attention will be paid to the weak group especially families that live under poverty standards, disabled, single-parent family, the lonely old or those who may not be protected by national land compensation laws.

7. Immigrant resettlement plan will make out compensation standards, which will be open to those who will have to be removed from their original place for the project. The demolition compensation should be paid according to the announced standards.

8. Resettlement object and principle should be reflected in Immigrants Resettlement Plan, which will guarantee and realize the resettlement object and principle in the right of policy.

9. The Immigrants Resettlement Plan applies to all sub-projects and relevant projects concerning integrated traffic improvement project in Xi'an.

6. Compensation Standard

In terms of relevant laws and regulations on land acquisition and removal, various compensation standards of the Project are specified based upon actual condition of Xi'an and all districts.

6.1 Compensation standard for permanent land acquisition

<table>
<thead>
<tr>
<th>Land type</th>
<th>Project name</th>
<th>State-owned land (Yuan/μa)</th>
<th>Collectively owned land (Yuan/μa)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Xi'an Urban Road Network Improvement</td>
<td>RMB 120,000 Yuan</td>
<td>RMB 120,000 Yuan</td>
</tr>
<tr>
<td></td>
<td>Project</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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<table>
<thead>
<tr>
<th>Subproject name</th>
<th>Compensation standard</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Brick-concrete structure (Yuan/m²)</td>
</tr>
<tr>
<td>Xi’an Urban Road Network Improvement Project</td>
<td>RMB 3,000 Yuan</td>
</tr>
</tbody>
</table>

6.3 Compensation standard for nonresidential houses

Table 6.3 Compensation Standard for Nonresidential Houses

<table>
<thead>
<tr>
<th>Structure/standard Project</th>
<th>Structure of commercial houses</th>
<th>Standard for various subsidies</th>
<th>Compensation for transitional resettlement (Yuan/m²·month)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Brick-concrete structure</td>
<td>Simple structure</td>
<td>Subsidy for removal</td>
</tr>
<tr>
<td></td>
<td>(Yuan/m²)</td>
<td>(Yuan/m²)</td>
<td>(Yuan/household)</td>
</tr>
<tr>
<td>Xi’an Urban Road Network Improvement Project</td>
<td>RMB 3,500 Yuan</td>
<td>RMB 1,000 Yuan</td>
<td>RMB 500 Yuan</td>
</tr>
</tbody>
</table>

Remarks: According to article 38 and 40 of *Detailed Rules on the Dismantlement Management of Urban Houses in Xi’an*, it is proposed to provide RMB 500 Yuan for each household featuring monetary compensation and removal subsidy. Herein, compensation for transition is unavailable.

6.4 Compensation standard for public facilities and auxiliaries

Table 6.4 Compensation Standard for Public Facilities and Ground Auxiliaries

<table>
<thead>
<tr>
<th>Type of auxiliary</th>
<th>Unit</th>
<th>Compensation standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electric pole</td>
<td>RMB Yuan/pole</td>
<td>RMB 3,000 Yuan</td>
</tr>
<tr>
<td>Street tree</td>
<td>RMB Yuan/tree</td>
<td>RMB 500 Yuan</td>
</tr>
</tbody>
</table>

7. Plan for Recovering Immigrants’ Production and Living

A preliminary resettlement scheme will be presented by municipal engineering commission of the Project Unit and the Municipal Engineering and Design Institute based on asking for immigrants’ opinions. And then, as the resettlement consulting unit, Shaanxi Academy of Social Science has analyzed the rationality and feasibility according to current national policies, laws and regulations and the World Bank’s Requirements for resettlement. Finally, the Resettlement Action Plan (RAP) for the Project is confirmed.

7.1 Objectives, guidelines and principles of RAP
7.1.1 Objectives

General RAP objective of Xi’an Urban Road Network Improvement Project lies in that all influenced residents are appropriately resettled and compensated to improve or maintain their standard of production and living compared with original corresponding standard.

7.1.2 Guidelines

Resettlement guidelines: Respect and take local immigrants' production, living and custom into consideration, fully consider immigrants' desire and carry out appropriate settlement based upon deep and particular survey and influenced residents' varied status. Herein, the resettlement should be laid upon the assurance of available fundamental materials, pose long-range development potentials, make full use of surroundings and combine removal with development, thus achieving long-term peace and order.

7.1.3 Principles

RAP for the Project should conform to fundamental principles as below according to relevant national laws and regulations and the World Bank's policies on involuntary immigrants:

1. Properly carry out resettlement, implement relevant compensation policies and aim to improve or at least restore influenced residents' standard of production and living;
2. Coordinate RAP with plans for local national land neatening, national economic and social development; conduct overall consideration, make overall plans and take all factors into consideration and properly deal with relation amongst the nation, collective and individual;
3. Formulate RAP according to indices of physical land acquisition and removal and compensation standards. Meanwhile, enable the construction scale and standard of resettlement to comply with principles of restoring to original scale and standard; ensure no investment deficit and refer to regional development. Local government and relevant departments should be solely responsible for investment needed for scale expansion, standard improvement and future planning.
4. It is proposed to adequately negotiate with influenced residents to confirm RAP and various compensation standards, which should protect residents' interests.
5. It is advisable to adjust resettlement to local conditions, thus fully utilizing local natural resources, accelerating industrial structure adjustment and maintaining immigrants' original standard of production and living;
6. Make out planning and layout according to principle of "benefiting production and facilitating living".
7. Combine resettlement with area construction, resource development, economic development and environmental protection. Adjust resettlement to local conditions to make feasible measures for restoring and developing immigrants' production and living and provide necessities for immigrants' self-development.
8. Make full use of local resources, give top priority to developing service industry, ensure employment and improve immigrants' income.

7.2 Resettlement for immigrants in urban villages

In the process of project design, destructions towards local social and economic development and system of production and living caused by land acquisition have been taken into consideration. The project design has been continuously optimized. In addition, schematic comparison and selection for multiple routes have been carried out. Moreover, the design unit has taken engineering measures to optimize routes and made all possible efforts to utilize original routes to control road width, lessen the scope of land acquisition and removal and alleviate the impact on local production and living arising from project construction. Therefore, the project construction cause no disastrous destroys towards original production and living systems in all villages involved.
Based upon immigrants' opinions and actual conditions of influenced areas and integrated analysis of resettlement environment in all villages involved, the overall plan for resettlement has been finally confirmed. In detail, influenced immigrants should resettle near original communities, thus stabilizing original life styles, habits and social relations of immigrants and benefiting to boost the positivity and adaptability of production and living.

All immigrants involved in the Project should be treated through monetary compensation. Project unit should be responsible for the construction of new residential area for immigrants, including area selection, land leveling, public traffic facilities and so on. Herein, project unit should negotiate about detailed resettlement with immigrants concerned.

7.3 Resettlement implementation organization and management

Leading group for resettlement of the Project should take charge of implementing RAP. Meanwhile, personnel from relevant departments of all influenced districts should establish resettlement office responsible for enacting resettlement policies, publicizing, mobilizing and executing immigrant moving and resettlement. In addition, the resettlement office plays the leading role for immigrants' feedbacks and complaints and should promptly and fully ask for, collect and neaten immigrants' proposals and problems and report them to senior authorities and departments in charge. Furthermore, the office should timely return comments on these proposals and problems to immigrants concerned.

7.4 Utilization and safety assurance of compensatory funds for resettlement

A. Utilization of compensatory funds

Compensatory funds for resettlement will be utilized and managed by the influenced grass-roots economic organizations. In general, total compensations for house, auxiliaries and moving should be controlled and utilized by immigrants for the purpose of new house building and sundries moving. Due to varied land ownerships, village or village team should be responsible for the unified management and utilization of compensations for land acquisition for the purpose of production recovery, allocation of surplus labors, infrastructure improvement, etc.

B. Measures for assuring compensatory funds

(1) As compensations for land acquisition are utilized for projects of the secondary and tertiary industry, the villagers' committee and CPC village branch should carry out deep and particular research, survey and analysis, confirm mature market conditions and report the utilization to subdistrict office for approval. Besides, the compensation utilization will be passed and implemented upon influenced villagers' approval through corresponding meeting;

(2) In order to ensure influenced residents' income not to decrease after resettlement, it is proposed to strengthen the business management of newly established enterprises, carry out inspection and auditing on a regular basis, solve problems encountered by these enterprises (such as problems concerning technical support, production and sale and so on) and formulate necessary systems to ensure sustainable enterprise development.

(3) As for changes of investment environment, it is required to firstly deposit the compensations for land acquisition and subsidies for labor resettlement into bank and allocate annual interests to influenced villagers to keep normal standard of living when the proposed investment plan for the secondary and tertiary industry fails to ensure immigrant's stable incomes. Besides, reassessment should be conducted for proposed investment projects according to current market status so as to confirm to continue the investment and construction or change investment field.

7.5 Resettlement plan for individual businesses

For the highway will be reconstructed, it is required to try to keep the Project away from villages and schools with crowds. Thus fewer individual businesses are involved in the Project are influenced. Individual businesses along highway conduct their businesses in small scale by renting houses of relevant units or residents along the highway. With regard to
resettlement for business owners, housing land of these business owners will be moved to the crossway with dense passenger flow or both sides of the highway to be reconstructed so as to or both sides of the highway to be reconstructed so as to provide more customers for them, maintain their turnover, keep income levels and standard of living. Individual businesses renting houses of other units or residents will be notified two months ahead of house moving for the convenience of finding new house.

7.6 Resettlement plan for enterprises and public service units

In light of onsite survey and research, part houses of enterprises and public service units involved in the Project should be dismantled, thus having almost no impact on their normal production and operation. Herein, resettlement is unnecessary.

7.7 Plan for resettlement or construction of special facilities

Special facilities influenced by this Project mainly include lines and poles along the highway for power transmission and telecommunication. When original power lines and communication cables to be reset cross the highway, it is proposed to heighten all relevant poles and lines. On one side of highway, lines can be reset through partially adding reconnection towers. Communication optical cables involved in the Project will laid into the casing beneath the highway. If the cables are really unavoidable, the cable route should be partially changed. Reconstruction plan and detailed construction of special facilities should be carried out by corresponding professional departments. Project construction unit should negotiate about corresponding compensations with departments in charge.

8. Public Participation

8.1 Strategy of public participation

It is proposed to avoid dissatisfactions and disputers by protecting legal rights and interest of immigrants and units undergoing removal according to national, provincial and municipal policies, laws and regulations on resettlement. Meanwhile, with respect to nature of project construction and reconstruction, it is of great necessity to further make policies and detailed rules in connection with resettlement, formulate RAP and tangibly implement these plans to properly resettle these immigrants. Moreover, the enactment of resettlement policies, plans and implementations will attach great importance to immigrants’ participation and negotiation and extensively asking for immigrants’ opinions.

During feasibility study at the stage of project preparation, the Project Office has asked for immigrants’ suggestions and opinions on land acquisition and resettlement for several times.

From January to April 2007, the Project Office has organized relevant personnel to conduct preliminary survey towards the state, social and economic situations in the scope of land acquisition and removal. Some immigrants involved have participated in the survey and put forward their own proposals on project plan, compensation standard for land acquisition and immigrant resettlement, which have been fully considered during project design and RAP compilation. During the survey aiming at physical land acquisition and removal involved in the Project, the Project Office also has established special survey panel with relevant representatives of immigrants as participants. Furthermore, the Project Office also accepted proposals of villagers’ committees and representatives of immigrants on land acquisition, removal and resettlement and carried out extensive negotiation. Besides, the Project Office has completed social and economic survey, public opinion collection and psychological study. In the process of social and economic survey, sampling check for the residents undergoing house dismantlement has been carried out to know about their intentions and attitudes towards the Project. Thus, overall survey has laid a solid foundation for RAP compilation.
In succession, procedures and ways specified as follows will be adopted to stimulate public participation and negotiation:

(1) Representatives of immigrants participate in removal and resettlement

Immigrants involved should elect their representatives pro rata, whose will cooperate with villagers’ committees to broadly ask for immigrants’ proposals and requirements, accept reasonable suggestions and communicate with immigrants on a regular basis.

In addition, villagers’ committees and representatives as above should participate in the detail survey towards house and auxiliary dismantlement, confirming compensation standard, negotiating about the agreement on removal and resettlement, new house construction and distribution, etc. to fully reflect immigrants’ interests and requirements and ensure the fair, reasonable and transparent immigrant resettlement.

(2) Property owner negotiates about the resettlement with removal executives

(3) Hold relevant conferences

It plans to hold the symposia attended the residents undergoing house relocation, village commissions, female representatives and so on (female representatives should account for more than 30%) six months ahead of land acquisition and relocation to introduce relevant affairs and ask for their proposals and suggestions.

(4) Folkmote

Before the RAP implementation, it is necessary to assign relevant personnel to continuously and extensively explain involved policies, laws, regulation, compensation standards and resettlement plans to make people know about these earlier and arrange three months ahead of land acquisition and relocation

(5) Publicize policies on relocation by means of media

(6) Release notifications on relocation

Main contents of notification should include project overview, scope of land acquisition and relocation, policies on immigrant resettlement (including compensation standards), organizations responsible for resettlement, schedule of immigrant and house moving, immigrants’ rights and obligations, complaints and appeals, monitoring, assessment and so on.

(7) RAP disclosure

RAP approved by the World Bank should be placed in the Municipal Immigrant Resettlement Office and library before the assessment by the World Bank. Corresponding notifications should be released on local major newspaper for the convenience of query by immigrants and NGOs.

(8) Migration information manual

Before the project implementation, the relocation office should dispatch migration information manual to all influenced residents. Thus manual mainly includes the project overview, project influence, policies on compensation, executive organizations, channel of appeal, etc.

8.2 Disclosure of process and policy for public participation

<table>
<thead>
<tr>
<th>Time</th>
<th>Place</th>
<th>Participate</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 2006</td>
<td>South Gate, Yuxiang Gate,</td>
<td>Relocation</td>
<td>Support the project or not?</td>
</tr>
<tr>
<td>Resettlement Action Plan under Xi'an Urban Road Network Improvement Project</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>South Taibai Road,</strong> intersection of the 2nd East Ring Road and the 2nd North Ring Road between intersection and intersection between the 2nd East Ring Road and the 2nd South Ring Road</td>
<td>households and influenced residents</td>
<td>Proposals on house relocation</td>
<td></td>
</tr>
<tr>
<td><strong>January to March 2007</strong></td>
<td><strong>South Gate, Yuxiang Gate,</strong> South Taibai Road, intersection of the 2nd East Ring Road and the 2nd North Ring Road between intersection and intersection between the 2nd East Ring Road and the 2nd South Ring Road</td>
<td>Employees of influenced enterprises and members of influenced residents' committee (and villagers' committee)</td>
<td>Support the project or not? Proposals on land acquisition and house relocation</td>
</tr>
<tr>
<td><strong>April 2007</strong></td>
<td><strong>South Gate, Yuxiang Gate,</strong> South Taibai Road, intersection of the 2nd East Ring Road and the 2nd North Ring Road between intersection and intersection between the 2nd East Ring Road and the 2nd South Ring Road</td>
<td>Employees of influenced enterprises and members of influenced residents' committee (and villagers' committee)</td>
<td>Publicize the plan for land acquisition and relocation and ask for proposals of residents' committee (and villagers' committee)</td>
</tr>
<tr>
<td><strong>May 2007</strong></td>
<td><strong>South Gate, Yuxiang Gate,</strong> South Taibai Road, intersection of the 2nd East Ring Road and the 2nd North Ring Road between intersection and intersection between the 2nd East Ring Road and the 2nd South Ring Road</td>
<td>Enterprises, shops and households to be dismantled</td>
<td>Release plans for land acquisition and relocation and possible compensation standard and ask for resident representatives' proposals</td>
</tr>
<tr>
<td><strong>June 2006</strong></td>
<td><strong>South Gate, Yuxiang Gate,</strong> South Taibai Road, intersection of the 2nd East Ring Road and the 2nd North Ring Road between intersection and intersection between the 2nd East Ring Road and the 2nd South Ring Road</td>
<td>Influenced households</td>
<td>Publicize the RAP approved by the World Bank and ask for resident representatives' proposals</td>
</tr>
</tbody>
</table>
### Table 8.2 Process of Publicizing Resettlement Policies

<table>
<thead>
<tr>
<th>Document</th>
<th>Way and language for policy release</th>
<th>Date</th>
<th>Targets</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overview of works involved in the Project</td>
<td>Oral explanation and resident representative meeting</td>
<td>October 2006–November 2006</td>
<td>All places involved in land acquisition and relocation</td>
</tr>
<tr>
<td>General introduction of dismantlement details</td>
<td>Oral explanation</td>
<td>November 2006–December 2006</td>
<td>All places involved in land acquisition and relocation</td>
</tr>
<tr>
<td>Municipal policies on house dismantlement</td>
<td>Printed matter</td>
<td>2007</td>
<td>Resident to be relocated</td>
</tr>
<tr>
<td>Booklet for immigrant resettlement</td>
<td>Printed matter</td>
<td>After being approved by the World Bank</td>
<td>Resident to be relocated</td>
</tr>
<tr>
<td>Notification on publicizing RAP</td>
<td>Printed matter</td>
<td>After being approved by the World Bank</td>
<td>Resident to be relocated</td>
</tr>
<tr>
<td>Plan and report on immigrant resettlement</td>
<td>Printed matter</td>
<td>After being approved by the World Bank</td>
<td>Resident to be relocated</td>
</tr>
</tbody>
</table>

9. Procedures of Appeal

Although public participation during the immigrant resettlement is encouraged, some problems, more or less, have existed in practical work. With a view to promptly and
effectively eliminating these problems and ensuring smooth advancement of land acquisition and project construction, it is proposed to establish a fair and efficient channel of appeal for immigrants except for available channels in all-level local governments.

9.1 Organization responsible for appeal acceptance

In order to better protect influenced persons’ legal rights, it plans to appeal acceptance team under the leadership of external supervision authority except for villagers’ committee (and residents’ committee) and immigrant resettlement team at all levels. The team is consisted of five members. Leader of the independent supervision authority acts as the team leaders. Amongst other 4 members, 2 members are from external supervision authority, 1 is from the Project Office and 1 is assigned from the Municipal Development and Reform Commission. In addition, each district and county should designate 1 liaison officer responsible for immigrants’ appeal and dealing with appeals in the nearby governed area and keep contact the appeal acceptance team.

9.2 Procedures of appeal

Phase 1:
As immigrants are not satisfied with the RAP, they can present oral or written appeal to villagers’ committee (and residents’ committee), town-level (or subdistrict office) immigrant resettlement team or the appeal liaison officer in respective district or county. The appeal acceptance organization should deal with and record the oral appeal in writing. The acceptance organization should confirm appeal and give corresponding replies in 2 weeks.

Phase 2:
If the immigrants mentioned above are still critical of the results of phase 1, they can present their appeals to the immigrant resettlement office or external supervision authorities. The acceptance organization should be deal with the appeals and give corresponding replies.

Stage 3:
In case that the immigrants are still discontent of results of phase 2, they can present their appeals to Land and Resources Bureau of Xi’an upon receiving the decisions from the appeal acceptance team under the leadership of the immigrant resettlement office or external supervision authorities. Herein, Land and Resources Bureau of Xi’an should confirm and deal with these appeals in 10 days.

Phase 4:
As the immigrants have yet been critical to decisions made by administrative arbitration authorities, they can proceed against any aspect of immigrant resettlement to local people’s court upon the reception of decision of administrative arbitration according to Civil Procedure Law.

Above-mentioned channels should be known by all immigrants in the form of villagers’ meeting and other ways, thus enabling immigrants to fully understand their rights to appeal.
10. Implementation of Resettlement Action Plan

Land acquisition and resettlement action will be carried out from the second half of 2007 and finished one month before the construction. There’re three stages: (1) Preparation; (2) Implementation; (3) Examination/Supervision/Evaluation (Both internal and external supervision will be conducted during the implementation).

1. Preparation Stage

(1) Establish land acquisition and resettlement institutions at governments at all levels. Xi’an Municipal People’s Government is responsible for the implementation.

(2) Conduct propaganda by newspaper, radio, TV and notice so as to gain understanding and support of the whole society, especially the units and individuals involved. Xi’an Infrastructure Investment Company is responsible for popularizing the policies concerning demolition and resettlement.

(3) Set land monuments. The land for construction is bounded with permanent mark. Xi’an Infrastructure Investment Company and all-level land acquisition and resettlement offices alongside are responsible for measuring and setting of land monuments.

(4) Check on site the variety and quantity of land, houses and other facilities involved. This is conducted by Xi’an Infrastructure Investment Company and all-level land acquisition and resettlement offices alongside.

2. Stage of Compensation and Implementation

(1) Xi’an Infrastructure Investment Company signs an agreement with governments of all districts on land acquisition and resettlement; Governments of all districts then sign the agreements on land acquisition and resettlement with the Villager Committees, enterprises, administrative units and individuals involved;

(2) Xi’an Infrastructure Investment Company and Xi’an Municipal Land Administration Bureau submit land acquisition documents;

(3) Xi’an Infrastructure Investment Company allocates house compensation fees to governments of all districts through banks;

(4) Governments of all districts, together with individuals and enterprises involved, selects locations and determines house structure for house construction;

(5) Land compensation fee and resettlement allowance are directly allocated to the Villager Committees, and the demolition compensation fee is directly allocated to individuals involved;
(6) Governments of all districts allocate the compensation fee for land acquisition and house demolition to the Villager Committees through banks;

(7) Governments of all districts give the individuals involved the compensation fee for house and accessories, transition allowance and relocation allowance, and give enterprises all compensation fees;

(8) Governments of all districts give the Villager Committees involved the new location infrastructure allowance and assist them on infrastructure construction;

(9) Immigrants move to new houses and demolish the old ones. Governments of all districts are responsible for demolishing ground attachment and handing over the land to the constructing units after land acquisition and demolition are finished.

3. Recovery Stage

The main tasks are:

(1) Land readjustment;
(2) Establish economy recovery plan and measures;
(3) Skill training to individuals involved.

4. Examination Stage

Internal supervision: is a continuous task starting from the beginning of land acquisition and resettlement to its finish.

Besides, the land acquisition and resettlement offices and supervision offices are responsible for routine examination and supervision so as to ensure that implementation is done according to RAP regulations.

External supervision: conduct an investigation of social economy first, and finally conduct overall evaluation of the demolition and resettlement after the completion of all projects.

Work at the examination stage:

(1) The payment of compensation fee for all individuals and enterprises involved according to the replacement cost.
(2) The completion of new houses and resettlement of individuals involved.
(3) The payment of all allowances to individuals involved.
(4) The infrastructure construction at new locations.
(5) The implementation of economy recovery plan and measures.
(6) The response to and settlement of the suggestions and complaints of individuals involved on land acquisition and resettlement.

11. Resettlement Fund

11.1 Estimation of Resettlement Fund
According to primary estimation, totally RMB 92,674,900 Yuan is needed for resettlement, of which RMB 78,538,000 Yuan is the compensation fee for land acquisition and demolition, and RMB 14,136,900 Yuan is the management fee for land acquisition and demolition, the monitoring and evaluation fee, and basic reserved fee.

Table 1.1 Estimation of Resettlement Fund

<table>
<thead>
<tr>
<th>Item</th>
<th>Type</th>
<th>Quantity</th>
<th>Compensation Fee (RMB 10,000 Yuan)</th>
<th>Total (RMB 10,000 Yuan)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Acquisition Land</td>
<td>State-Owned Land</td>
<td>17.45mu</td>
<td>12</td>
<td>209.4</td>
</tr>
<tr>
<td></td>
<td>Land Owned by</td>
<td>81.5mu</td>
<td>12</td>
<td>978</td>
</tr>
<tr>
<td></td>
<td>Collectives</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Demolition of Residential Buildings</td>
<td>Brick-Concrete</td>
<td>17251 m²</td>
<td>0.3</td>
<td>5175.3</td>
</tr>
<tr>
<td></td>
<td>Structure</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Demolition of Non-Residential Buildings</td>
<td>Brick-Concrete</td>
<td>3432 m²</td>
<td>0.35</td>
<td>1201.2</td>
</tr>
<tr>
<td></td>
<td>Structure</td>
<td>100 m²</td>
<td>0.1</td>
<td>10</td>
</tr>
<tr>
<td>Resettlement Allowance</td>
<td>/</td>
<td>67</td>
<td>0.05</td>
<td>3.35</td>
</tr>
<tr>
<td></td>
<td>Households</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pole Removal</td>
<td>/</td>
<td>382</td>
<td>0.3</td>
<td>114.6</td>
</tr>
<tr>
<td>Removal of Roadside Tree</td>
<td>/</td>
<td>3239</td>
<td>0.05</td>
<td>161.95</td>
</tr>
<tr>
<td>Total Compensation Fee for Land Acquisition and Demolition</td>
<td>/</td>
<td></td>
<td></td>
<td>7853.8</td>
</tr>
<tr>
<td>Management Fee for Land Acquisition and Demolition (6% of the Fee of Land Acquisition and Demolition)</td>
<td>/</td>
<td></td>
<td></td>
<td>471.23</td>
</tr>
<tr>
<td>Monitoring and Evaluation Fee (2% of the Fee of Land Acquisition and Demolition)</td>
<td>/</td>
<td></td>
<td></td>
<td>157.08</td>
</tr>
<tr>
<td>Basic Reserved Fee (10% of the Fee of Land Acquisition and Demolition)</td>
<td>/</td>
<td></td>
<td></td>
<td>785.38</td>
</tr>
<tr>
<td>Total Resettlement Fee</td>
<td>/</td>
<td></td>
<td></td>
<td>9267.49</td>
</tr>
</tbody>
</table>

11.2 Source of Fund

The resettlement fund comes from locally-raised fund in Xi’an and World Bank loan, both of which have been taken into total budget.

11.3 Fund Allocation
The resettlement office and individuals involved negotiate and sign the agreement on the compensation for land acquisition and resettlement before the deadline of demolition as announced on the land acquisition and demolition notice. The resettlement office will give the compensation fee directly to the immigrants within 15 days since the resettlement date as signed in the agreement. For monetary compensation, the agreement should indicate compensation amount, payment terms, payment deadline, resettlement deadline, contract-breaking responsibility and terms agreed by both parties. For the exchange of house property, the agreement should indicate house location, area, structure, etc.

Allocation of resettlement fund: Resettlement fund is allocated by Xi’an Urban Comprehensive Transport Improvement Project Management Office to the resettlement offices of all districts and counties, who will then conduct payment to the immigrants according to the resettlement agreement.

The compensation fee for land acquisition and demolition including land compensation fee and resettlement allowance is given by the entrusted project owner (resettlement implementing institution) to villages involved. Then the villages allocate land compensation fee and resettlement allowance in different ways. House compensation fee is given in installments by resettlement implementing institution directly to house owners according to the house demolition contract. Infrastructure compensation fee is given by resettlement implementing institution directly to the owners of various infrastructure.

Land compensation fee and resettlement allowance are given to the villages involved before land acquisition. House compensation fee is given in installments to the immigrants before the demolition.

Resettlement implementing institution must submit the contracts and copies of payment receipts related to land acquisition and house demolition to Xi’an project office for filing.

12. Monitoring and Evaluation

To ensure successful resettlement, whole course monitoring of land acquisition and resettlement is conducted. It includes internal monitoring and external monitoring of the resettlement institutions.

12.1 Internal Monitoring

12.1.1 Goals and Tasks

Internal monitoring aims to ensure that resettlement institutions at all levels function well during the implementation, ensure that the legal rights and interests of individuals and units involved are not infringed, and ensure the successful construction. Internal Monitoring Office is responsible for internal monitoring.
12.1.2 Content of Monitoring

Internal monitoring includes:

1. Allocation and use of resettlement compensation fee;
2. Selection and allocation of resettlement locations;
3. Support to the disadvantaged group;
4. Employment of the laborers involved;
5. Participation and negotiation of immigrants during the implementation.

12.2. External Monitoring and Evaluation

12.2.1 Goals and Tasks

External monitoring and evaluation refer to the regular monitoring and evaluation of land acquisition and immigrant resettlement outside the resettlement institutions so as to ensure the realization of resettlement goals. Based on external monitoring and evaluation, suggestions on resettlement and the work and living of immigrants will be given, providing a warning system for project management department and a feedback channel for the immigrants. External supervision institutions are responsible for external monitoring and evaluation.

12.2.2 Methods of Monitoring

Independent monitoring institutions will hold a public consultation meeting once a quarter and small public consultation meetings with different themes, scale and participants, such as consultation meeting for residents involved, for merchants involved, for special group, etc. Representatives of the disadvantaged group, especially women, are invited to all these meetings. The Project Office and Municipal Resettlement Office will send staff to attend them. Besides, if necessary, the independent monitoring institutions conduct nonscheduled informal visits to get the latest feedbacks of the people involved, especially the special and disadvantaged groups. Independent monitoring institutions promptly report the above-mentioned public consultations to the Project Office, and record public participation and consultation in a whole chapter in the written monitoring and evaluation report which is submitted to the Project Office once a quarter and once a half year.

12.2.3 Content of Monitoring and Evaluation

Independent external monitoring includes: the implementation and compensation for land acquisition and resettlement; resettlement and restoration of removed residents, shops, enterprises and administrative units; and investigation and analysis of the work and living of the immigrants. Independent monitoring institutions will follow the resettlement so as to evaluate if it’s accordant with national laws concerning land acquisition and resettlement, if it’s accordant with World Bank operational policy OP4.12: Involuntary Resettlement, and if the work and living standards of the immigrants are improved or at least maintain the same as that before the resettlement. Independent monitoring institutions will give suggestions to relevant units on solving the problems found during the monitoring so as to ensure prompt settlement.

I. Main Indicators of Monitoring

1. Progress: includes the preparation and implementation of land acquisition, demolition and resettlement.
2. Quality: includes construction quality and immigrants' satisfaction during the implementation of land acquisition, demolition and resettlement.
3. Investment: includes fund allocation and use.

II. Main Indicators of Evaluation

1. Immigrants
   a. Economic status: Family's economic changes before and after the migration, including the possession of production and living materials, assets and income.
   b. Environmental situation: The living environment before and after the migration, including the changes of public facilities such as traffic, culture and education, public health, commercial service, etc.
   c. Employment situation: Changes of occupation and employment rate before and after the migration, and the help to different targets especially the disadvantaged groups.
   d. Community development: The situation of local economy, environmental development, interpersonal relationship and public opinion after immigrants are well resettled.

2. Business and Enterprises
   Operation environment and management state before and after the resettlement.

3. Infrastructure
   Changes of infrastructure in the affected areas before and after land acquisition and resettlement.

13. Statement of Equity

<table>
<thead>
<tr>
<th>Type</th>
<th>People Involved</th>
<th>Compensation and Resettlement Policies</th>
<th>Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permanent Land</td>
<td>Villages</td>
<td>Those whose land is acquired are compensated according to the original use of land. The compensation fee for land acquisition includes land compensation fee, resettlement allowance and the compensation fees for ground attachment and seedling. The compensation fees for ground attachment and seedling are given to their owners. Land readjustment is not conducted after monetary compensation for land acquisition.</td>
<td>RMB 120,000 Yuan/Mu</td>
</tr>
</tbody>
</table>
### Resettlement Action Plan under Xi'an Urban Road Network Improvement Project

#### Type People Involved

**Peasant Households Involved**
- Get seedling compensation fee and laborer resettlement allowance;
- For those without land adjustment, the resettlement allowance is given directly to the individuals; For those with land adjustment, the resettlement allowance is managed by the villages for improving infrastructure or public facilities.

#### Involved Policies

<table>
<thead>
<tr>
<th>Type</th>
<th>People Involved</th>
<th>Compensation and Resettlement Policies</th>
<th>Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Compensable Transfer of State-Owned Land</strong></td>
<td>Land Owners (Transferrers)</td>
<td>The compensable use of state-owned land can be negotiated after the constructing unit gets Xi'an or district-Level Land Use Permit for Construction Purpose. Compensation transfer is conducted after the market evaluation of these enterprises or administrative units by qualified land evaluation institutions.</td>
<td>RMB 120,000 Yuan/Mu</td>
</tr>
<tr>
<td></td>
<td>Renters</td>
<td>Enterprises and shop renters, who're informed one month in advance, can find new locations. The implementing institutions not only provide tenancy information of new locations, but also inform short-term staff three months in advance and help them find new jobs by providing employment information for free.</td>
<td>Resettlement allowance and compensation for equipment unable to move are determined according to the replacement cost.</td>
</tr>
<tr>
<td><strong>Demolition of Residential Buildings</strong></td>
<td>Residential Owners</td>
<td>(1) Resettlement methods. Resettlement compensation can either be made in the form of currency or exchange of house with equal value; The demolished houses can also be compensated with non-local houses of the same building area without settlement of price difference. Compensation method is decided</td>
<td>Compensation for Residential Buildings: Brick &amp; Concrete Structure RMB 3,000 Yuan/m² Resettlement Allowance: RMB 500 Yuan/Household</td>
</tr>
<tr>
<td>Type</td>
<td>People Involved</td>
<td>Compensation and Resettlement Policies</td>
<td>Standard</td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td>----------------------------</td>
<td>----------------------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Demolition of Workshops, Warehouses and Shops</td>
<td>Enterprises and Shops</td>
<td>According to the policies of Xi’an, the compensation for workshops, warehouses and shops adopt the house-land separation method. The houses of enterprises and shops are compensated according to the Detailed Rules on Management of Urban House Demolition of Xi'an City. The land of enterprises and shops is compensated according to land status and local market evaluation. Besides, the suspension of production or business and equipment removal are compensated. The rights and interests of enterprise employees are not affected, including salary, medical care and social insurance, dividend, bonus, etc.</td>
<td>Compensation for Land Acquisition: RMB 120,000 Yuan/Mu Compensation Standards for Shops, Workshops and Warehouses: Brick &amp; Concrete Structure: RMB 3,500 Yuan/m² Simple Structure: RMB 1,000 Yuan/m² Removal Allowance for Shops, Workshops and Warehouses: RMB 500 Yuan/ Household</td>
</tr>
<tr>
<td>Type</td>
<td>People Involved</td>
<td>Compensation and Resettlement Policies</td>
<td>Standard</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-----------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Enterprises’ employees won’t lose their jobs because of resettlement. Short-term employees involved should be informed three months in advance, and get help to find new jobs with free employment information. The executive should inform the owners in advance, provide them with tenancy information of same-size shops in the same region so that they have enough time to find new locations for normal operation, and pay the resettlement fee.</td>
<td></td>
</tr>
<tr>
<td>Ground Attachment and Public Facilities</td>
<td>Owners</td>
<td>Compensation is done by the constructing unit to the owners.</td>
<td>Compensate according to the replacement cost.</td>
</tr>
</tbody>
</table>