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# **Resettlement Action Plan**

## **Harbin-Jiamusi Railway Passenger Dedicated Line**

**The Third Railway Survey & Design Institute  
Group Co., Ltd**

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## ABSTRACT

The Harbin-Jiamusi Railway Passenger Dedicated Line is a double-track electric railway line extending as far as 342.057km. Residents affected by land acquisition along the line includes those in 2 cities, 3 counties, 3 districts along the line across the board city of 3, 26 rural towns, 5 streets, 71 administrative villages, and 5 urban towns. The total area of permanent land acquisition is 21,244 Mu, of which 13,548 Mu is cultivated land (paddy fields 688.86 Mu, dry 12,859.14 Mu), and accounts for 63.77% of the total land acquisition. All building demolition area reaches 478324m<sup>2</sup>, including 341100 m<sup>2</sup> of housing in the Countryside (71.31% of the total demolition area); 95380 m<sup>2</sup> of factory buildings (19.94%); 41844m<sup>2</sup> of housing in the urban area (8.75%). Altogether 11,439 people are affected, of whom 3070 people are in the rural areas, namely, 640 households. Among those affected in the rural areas, 2255 (namely, 479 households) are affected by the land acquisition; 1035 (namely 207 households) are affected by the demolition, 207; 220 (namely 46 households) are affected by both. The project will impact a total of 23 factories and mines, which occupy a demolition area of 95380m<sup>2</sup>, and 3697 people in them. And a total of 973 urban households, that is, 4672 people, will also be affected.

Land acquisition for the Harbin-Jiamusi Railway Passenger Dedicated Line is less troublesome in that (1) railway is linear, and this character has determined that the project would have limited impact on the regions along the line; (2) the proportion of the total length of bridges and tunnels is over 55%, so the amount of land acquisition is greatly reduced; (3) existing railway stations at both ends will be retained and, within the city limits, existing railway lines will be utilized.

Demolition areas for The Harbin-Jiamusi Railway Passenger Dedicated Line locate mainly at the two ends, that is, Harbin and Jiamusi, especially factories and mines in the two cities. In rural areas, land acquisition and demolition mainly happen in the place where stations are located. The physical loss is detailed in chapter 3.

The Ministry of Railways delegated the compilation of the "Resettlement Action Plan" to the Third Railway Survey and Design Institute Group Limited. This compilation covers the socio-economic survey, the impact survey and the resettlement plan of the migrants. The survey covered all the 71 villages and five urban towns, as

well as factories and their affected infrastructures. All physical indicators provided in the Resettlement Action Plan are based on scientific design and field survey of the line. The above data are not the final data. As the design develops in depth and the construction units approach, the data will change accordingly.

The compilation of the Resettlement Action Plan and its future implementation will be developed in strict accordance with the Chinese government's policy documents and the World Bank's operational guideline, OP4.12. The pragmatic compensation of all resettlement actions will be given in strict accordance with the compensation standards in the plan. Any change is impossible unless after the consent of the World Bank. As to land acquisition, house demolition, resettlement and compensation, China has developed a complete legal framework and has formed a complete policy system, based on which, provinces and cities along the Harbin-Jiamusi Railway Passenger Dedicated Line have made the relevant local laws and policies. The main basis for compensation is "the implementation Measures of the Price of Land Acquisition in Heilongjiang Province" (effective from January 1, 2009 onwards). The total budget of the resettlement project is 2.00646 billion yuan, not including the cost of road diversion, electricity, communications and other infrastructure restorations. It accounts for 5.2% of the total investment. What should be emphasized is that, the Ministry of Railways promises to set no limit to the cost of land acquisition and resettlement, and will pay any reasonable reimbursement, in order to cope with the rising land acquisition and relocation compensation in recent years across China. The construction of the Harbin-Jiamusi Railway Passenger Dedicated Line will last for many years, during which if the compensation standards in Heilongjiang Province increase, the practical compensation of the project will change correspondingly.

As to the affected farmers, the following resettlement measures will often be taken to help restore their production and life. First, reserved land collectively owned by towns and villages is to be allocated to the land-losing farmers; the second is the non-agricultural resettlement. That is, to immigrants whom no land can be offered, such as those near the train station, monetary compensation as well as employment and skills training is to be provided, so as to help them engage in secondary and tertiary industries; the third is social security. Any migrants, agricultural or non-agricultural, as long as they meet the policy standards, can be legally entitled to their social security rights.

Rural relocated households are comparatively scattered, so most rural residents will be resettled near their original villages. Considering the local conditions, the new

homestead will be located on the uncultivated land or slopes which near the roads and the concentrated residential sites. To avoid occupying arable land, scatter housing will be constructed. According to the law, the affected residents will receive replacement compensation and free homestead provided by the Government. They will build new houses by themselves and the remnant materials of their old houses are at their disposal.

Urban residential houses and factories, their relocation and reconstruction will be reimbursed in full accordance with market prices. An independent body will make assessments one by one, and compensation will then follow. As to the urban resettlement, we have asked for opinions of the relocated residents and also referred to other railway-related demolitions. We compared various methods on their feasibility. Through field investigation, we proposed several methods: a centralized and unified construction of resettlement area, uniform purchase, monetary compensation for their own house purchase, etc. The vast majority chose the monetary compensation. After investigation, we got to know that residence of all types and prices around the demolition area are available. Monetary resettlement in urban areas has been effectively implemented in other similar rail projects.

The affected industrial enterprises concentrated in cities and towns at both sides of the line under discussion. Those affected enterprises, shops and their employees, their loss during the demolition and reconstruction period will be fully compensated according to the law. The Government will assist those affected enterprises to re-build and restore production, guide and help them to re-select the new location. The large enterprises will move into the urban industrial areas according to the local planning, and their reconstruction and restoration of production will be ensured. The enterprises under township or village level will move into new places in the original town or village; the private enterprises will rent the village collective land to continue their production. After receiving the compensation fee, they can remain or remove to other rented land, and re-start their business.

The project does not involve villages or towns of ethnic minorities, and therefore they are free from the impact of land acquisition, demolition, construction and other actions. As to a few scattered ethnic households, there are no significant differences between them and the local Han Chinese in the production style, lifestyle, living standards, and cultural practices. During the construction, ethnic minorities can be employed in order to increase their income and they enjoy the same rights as the local Han residents. As to the destitute, the disabled, the households enjoying five

guarantees and other vulnerable groups, local governments and village committees should pay special attention and be ready to help, and need to give special subsidies to restore their life and production.

The Ministry of Railways, the preparatory group of the Harbin-Jiamusi Railway Passenger Dedicated Line Company, the provincial government and local, city and county immigration office will be responsible for the implementation and guidance of the township and village resettlement work. Currently, all local governments along the line have set up railway construction governing institutions, which are under the control of local government leaders. Department heads in the local government will serve as members of the institutions, supporting the implementation of railway construction and the resettlement work.

The affected people have been informed of the possible impact in different stages of the project, and have participated in the consultations and surveys. Participants include heads of families, village chiefs and village representatives, local government, vulnerable groups (including women and minorities). Information on resettlement activities has been disseminated through newspapers, radio announcements and other public media, and village-level meetings, aiming to promote the understanding and support of all communities. As the project progressed, the resettlement manual will be distributed. Meanwhile, the public, including those affected, can be fully informed of the local government's resettlement action plans. The affected families will participate in the consultation and resettlement activities, including detailed measurements, overpass positioning, new homestead site selection, and appeals. During the period of implementing land acquisition and resettlement, the affected population and enterprises can appeal to the local authorities, government agencies, project owners, external monitoring agencies and courts on problems such as land requisition, housing demolition, compensation and resettlement. In addition, the affected population will often have the opportunity, such as through public meetings, hearings, public consultations and field surveys, to discuss with representatives at all levels of the project on compensation and resettlement issues.

The preparatory group of the Harbin-Jiamusi Railway Passenger Dedicated Line Company, together with the local immigration offices, will be responsible for the internal monitoring and supervision of compensation payment, housing reconstruction, land acquisition, and appeals. The Ministry of Railways will prepare monitoring reports every six months and will submit them to the World Bank until the end of the resettlement. Then, the Ministry of Railways will submit the after-

resettlement evaluation report to the World Bank. In addition, the Ministry of Railways will entrust the external monitoring and evaluation to an independent monitoring agency. External monitoring includes: base data survey, auditing and confirming of the compensation payment, reviewing and evaluating the implementation of resettlement programs and relevant results, assessing appeal process and the feedbacks of the affected population, assessing the income recovery of the affected population , knowing the difficulties they face, and advancing future resettlement work. External monitoring should be given to the Ministry of Railways and the World Bank every six months until the end of the resettlement. After that, the assessment report should be available to the Ministry of Railways and the World Bank within two years.

## CHAPTER 1 Introduction

### 1.1. Project Description

The Harbin-Jiamusi railway passenger dedicated line is located in the middle-east of Heilongjiang Province, starting from Harbin Railway Station, going through Bin County, Fangzheng County and Yilan County, and finally getting to Jiamusi Railway Station. A total length of the project is 342.057 km, among which, the length of rail beds of the trunk line is 153.838 km, the length of bridges and tunnel of the trunk line is 173.051km and 14.093 km respectively. The ratio between bridges and tunnels is 54.91%. The total number of permanently requisitioned lands along the line is 21244 mu and the demolished area of buildings is 478324m<sup>2</sup>. A Route Sketch of the line seen in Annex 1.

The Line goes by 2 prefecture-level cities and three counties and districts subordinating to the two cities. They are Daowai District, Acheng District, Bin County, Fangzheng County and Yilan County under the administrative domain of Harbin and the suburb of Jiamusi.

There are ten stations along the line. Among which, eight of them are newly built one, including stations of Binxi, Bin County, Shengli, Fangzheng, Gaoleng, Dalianhe, Yilan and Hongkeli. The rest two stations are set in existing stations of Harbin and Jiamusi.

The Harbin-Jiamusi Railway Passenger Dedicated Line links the two cities of Harbin and Jiamusi. With construction of the line, an integrated transport system is established between the two cities, with a clear division of responsibilities and rational function configuration, which greatly improves the transport service level of the corridor. Moreover, The line, as well as the Harbin-Dalian Railway Passenger Dedicated Line, Harbin-Qiqiha'er Railway Passenger Dedicated Line and Harbin-Mudanjiang Railway Passenger Dedicated Line, constitutes a rapid passenger transport network and improves passenger and freight transport capacity of the "Three Vertical and Four Horizontal" Railway Line Network in Northeast China, which is of great significance to facilitating the trade between China and Russia and promoting the development of Northeast Asia. After the completion of the line, the function of rail-oriented development will be fully played to strengthen the integrated regional economic development. Therefore, it is absolutely necessary to construct the line.

### 1.2. Preparation of the RAP

The RAP is compiled by the Third Railway Survey & Design Institute Group Co., Ltd, which is commissioned by the Centre of Foreign Capital of the Ministry of Railway.

According to the arrangement of the Department of Planning of the Ministry of Railway, the Third Railway Survey & Design Institute Group Co., Ltd is also responsible for the compilation of feasibility study report of the project.

The Third Railway Survey & Design Institute Group Co., Ltd begun to prepare the RAP from August 2009, finished social and economic surveys in September 2009 and submitted a draft of RAP in December 2009.

### 1.3. Measures to Minimizing Impacts of Construction

#### 1.3.1. Project Planning and Design Stage

The project construction will involve land requisition, demolition and removal, and will inevitably affect the former production and living condition of local residents. To minimize the impact on the local socioeconomic situation, the project owner and the design institute took the following measures during the stage of planning and design:

- A.** To do more deliberation and take into account the impact on socioeconomic situations during the selection of design plans and make minimum impact on socioeconomic situations as the factor for improving the design plans;
  - ☒ In-between: Along with the construction of Songhuajiang River Bridge and navigation hydropower junctions along the line, the design scheme of Songhuajiang North shares a similar service area and passenger flows with the design scheme of Songhuajiang South. However, as the design scheme of Songhuajiang South is featured by not crossing the Songhuajiang River and not going by important environmental sensitive areas. In addition, it has a higher economic development level and passenger transport demands along the line as designed by the scheme of Songhuajiang South, in conformity with government requirements on route direction, with less investment and construction difficulty and smaller interference on the intersection of exiting lines. Therefore, the design scheme of Songhuajiang South is selected and recommended after technical and economic comparisons.
  - ☒ wo Endings—existing stations are adopted in the project. The line goes roughly along the existing lines in urban areas so as to reduce land requisitions and minimize the impacts on environment.
- B.** To minimize land acquisition and relocation, the design unit adheres to principle of “avoid densely populated areas and residential areas, minimize demolition, minimize acquisition of cultivated or simply minimize acquisition of land”;

- C. Optimize the design, shorten construction time, and justify the time period for house demolition and construction work.

### 1.3.2. Project Construction Stage

During the stage of project construction, the measures the contractors will take include:

- A. Enhance the mechanism of public participation. Before the projects construction to place notices in affected areas and resettlement areas, including the time period of the project construction and planned progress; to publicize policy frameworks on compensation of land acquisition, demolition, relocation and resettlement, and to accept the supervision of the existing residents in the resettlement areas;
- B. Measures to minimize the raising of dust: In order to keep the construction site clean and comfortable, and minimize the impact of the construction work on the environment, spray water on the surface of every construction roads in densely populated areas to avoid the raising of dust during days with continuous sunshine and wind. The contractors will timely dispose of earthwork in a schematic way. To keep the environment clean by avoiding overloading and take measures to prevent spilling during transporting earthwork;
- C. Dispose of waste in the construction site. As the construction period is long and there will be many construction workers, the construction will produce a lot of waste, domestic or otherwise. The contractors should timely clean up all waste in the construction site according to the requirements of the local Environmental and Health Department. The contractors should ensure the cleanliness of the construction site to avoid breeding and spreading of infectious diseases;
- D. During the construction period, the contractors will place priority in using local construction materials. Under practical circumstances, the contractors should also place priority in using local transportation and labor to enable the affected people to benefit from the construction of the project.

### 1.3.3. Implementation Stage

In the implementiaton, the following measures shall be taken to minimize the impact on the local residents:

- The RAP is prepared for the railway infrastructure project funded by the World Bank loans. Implementation of the RAP shall follow the principle of by-stages.
- Modify the resettlement schemes based on actual conditions to ensure the standard of living of the people will not decline;

- ☒ Enforce internal and external monitoring, and establish an effective and straightforward mechanism and channels for feedback. Shorten the time period for handling information to ensure problems that arise during construction may be resolved promptly;
- ☒ Review experiences and lessons of resettlement in the same region in order to minimize negative impacts of resettlement.

## Chapter 2 Socio-economic Investigation

### 2.1. general socio-economic situation of the affected areas

**Table 2-1 Major national economic and social indicators in cities along the line in 2008**

Indicator		Unit	Harbin	Jiamusi	Total
Land area		10000 square km	5.3	3.27	8.57
Total population by the end of 2008		10000 persons	990.1	251.7	1241.8
population density		Person/km <sup>2</sup>	186.8	77.0	144.9
GDP		100,000,000 Yuan	2868	399	3267
Among which	primary industry	100,000,000 Yuan	390	126	516
	secondary	100,000,000 Yuan	1078	83	1161
	tertiary industry	100,000,000 Yuan	1400	190	1590
GDP per capita		Yuan	29012	15871	26309
Total value of farming, forestry, husbandary and fishing		100,000,000 Yuan	569.8	161	730.8
Total value of industry		100,000,000 Yuan	1778.8	170.6	1949.4
Total value of international trade		100,000,000 Yuan	35.9	21.8	57.7
paid-in foreign capital		100,000,000 US dollars	5.7	0.47	6.17
number of tourist		10000 people	3019.8	210.8	3230.6
Revenue of tourism		100,000,000 Yuan	245.9	9.7	255.6
total grain output		10 <sup>4</sup> t	1218	452	1670
the retail sales of consumer goods		100,000,000 Yuan	1264	147.5	1411.5

Data source: Yearbook of Heilongjiang in 2009

### 2.2. Social and Economic Conditions along the Line

The project is located in Heilongjiang Province, extending as far as Harbin in the west and Jiamusi in the east, and going by way of Bin County, Fangzheng County and Yilan County in the middle. It is an important component of Heilongjiang express railway network

According to the Statistics Yearbook of Heilongjiang Province (2009) formulated by Heilongjiang Statistics Bureau and Survey Office of the National Bureau of Statistics in Heilongjiang Province, the permanent population of Heilongjiang Province was 38.25 million by the end of 2008, with a rate of natural population

increase of 2.23%. GDP in 2008 was CNY 8.21 billion Yuan, 17.6% increased compared with that in 2007, and the average GDP per capita was CNY 21727 Yuan. The structure rate of primary, secondary and tertiary industry was 13.1□52.5□34.4. The total social investment in fixed assets in 2008 came to CNY 365.6 billion Yuan, increasing by 27.6% over the year of 2007. The fiscal revenue in 2008 was CNY 129.54 billion Yuan, up 28.3% on the previous year.

The number of urban registered unemployed people was 0.32 million in the whole province by late 2008, with the registered unemployment rate increasing by 3.6 percent over the previous year. The average annual salary of an urban employee was CNY 23046 Yuan, increasing by 18.9% over the year of 2007. The per-capita disposable income of urban residents was 11581 Yuan and the per-capita net income of rural people was 4856 billion Yuan, increasing by 13 percent and 17.5% over the previous year in real terms.

Social and economic conditions of cities and counties along the line:

**Harbin:** Harbin is the capital city of Heilongjiang Province, a modern central city of economy, politics, trade, science & technology, culture and tourism in the Northeast of China. The area within the administrative area of Harbin is 5.3×104km<sup>2</sup>. The total population was 9.9 million by the end of 2008, with Han constituting over a major percentage and consisting of other minorities including Manchu, Hui, Mongolia and Korean. In 2008, the local GDP was 286.82 billion Yuan, increasing by 17.7% over the previous year. Of this, the added value of the primary, secondary and tertiary industries reached 39.02 billion Yuan, 107.76 billion Yuan and 140.04 billion Yuan respectively, representing increases of 12.2%, 19.4% and 18%. The structure rate of primary, secondary and tertiary industries is 13.6□37.6□48.8. GDP per capita was 29012 Yuan. The general budgetary revenue of local governments in 2008 was 16.4 billion Yuan, increasing by 24.2% over the previous year; the aggregate output value of industrial enterprises was 244.1 billion Yuan, increasing by 13.6% over the previous year; the total social investment in fixed assets was 134.13 billion Yuan, increasing by 30.1%; the total volume of retail sales of social consumables was 126.4 billion Yuan, increasing by 22%; and the per capita disposable income of urban residents was 14589 Yuan, increasing by 14.2%.

**Jiamusi:** Jiamusi is located in the confluence of Songhua River, Heilong River, and Wusuli Riber, a center of economy, politics, transport, and science & technology, as well as the biggest central city in the Northeast of Heilongjiang Province. The area

within the administrative area of Jiamusi is  $3.3 \times 10^4 \text{ km}^2$ . The total population was 2.52 million by the end of 2008. There are 42 minorities in the whole city, representing 4.4% of the total population of the city, among which, population of Mongolia, Hui, Korean, Manchu and Hezhe occupying 98.5% of the total population of the 42 minorities. In 2008, the local GDP was 39.85 billion Yuan, increasing by 18.3% over the previous year. Of this, the added value of the primary, secondary and tertiary industries reached 12.61 billion Yuan, 8.29 billion Yuan and 18.95 billion Yuan respectively, representing increases of 22.7%, 18.1% and 15.6%. The structure rate of primary, secondary and tertiary industries is  $31.6 \square 20.8 \square 47.6$ . GDP per capita was 15871 Yuan. The general budgetary revenue of the local government in 2008 was 1.15 billion Yuan, increasing by 42% over the previous year; the aggregate output value of industrial enterprises was 17.06 billion Yuan, increasing by 34.4% over the previous year; the total social investment in fixed assets was 9.6 billion Yuan; the total volume of retail sales of social consumables was 14.75 billion Yuan, increasing by 22.5%; and the per capita disposable income of urban residents was 10158 Yuan.

**Bin County:** The area within the administrative area of Bin County is  $3845 \text{ km}^2$ . The total population was 0.62 million by the end of 2008, with a rate of natural population increase of 4.41%. The county consists of 17 villages and towns, with 10 minorities including Han, Manchu, Mongolia, Hui, Miao, Zhuang, Korean, Dong, Yao and Xibo. In 2008, the local GDP was 11.12 billion Yuan, increasing by 16.9% over the previous year. Of this, the added value of the primary, secondary and tertiary industries reached 2.61 billion Yuan, 4.95 billion Yuan and 3.56 billion Yuan respectively, representing increases of 7%, 20.1% and 20.7%. The structure rate of primary, secondary and tertiary industries is  $23.5 \square 44.5 \square 32$ . GDP per capita was 17821 Yuan, increasing by 16.1% over the previous year. The general budgetary revenue of the local government in 2008 was 0.26 billion Yuan, increasing by 21.1% over the previous year; the aggregate output value of industrial enterprises was 16.6 billion Yuan, increasing by 17.9% over the previous year; the total social investment in fixed assets was 4.49 billion Yuan, increasing by 31.7%; the total volume of retail sales of social consumables was 28.5 billion Yuan, increasing by 22.3%; and the per capita disposable income of urban residents was 8938 Yuan and the per-capita net income of rural people was 5501 Yuan, increasing by 14% and 19.8% respectively.

**Fangzheng County:** The area within the administrative area of Bin County is 2969km<sup>2</sup>. The total population was 0.22 million by the end of 2008. There are 17 minorities in the eight villages and towns of the whole county, occupying about 2.5% of the total population. In 2008, the local GDP was 2.38 billion Yuan, increasing by 20.2 % over the previous year. Of this, the added value of the primary, secondary and tertiary industries reached 0.84 billion Yuan, 0.59 billion Yuan and 0.95 billion Yuan respectively, representing increases of 16.7%, 34% and 15.9%. The structure rate of primary, secondary and tertiary industries is 35.3□25.0□39.7. The general budgetary revenue of the local government in 2008 was 0.13 billion Yuan. The value-added of industrial enterprises above designated size was 0.61 billion Yuan, increasing by 54.2%. The total social investment in fixed assets was 1.17 billion Yuan, increasing by 50% ; the total volume of retail sales of social consumables was 1.16 billion Yuan, increasing by 23.3%; and the per capita disposable income of urban residents was 7573 Yuan and the per-capita net income of rural people was 5782 Yuan, increasing by 20.6% and 20% respectively.

**Yilan County:** The area within the administrative area of Bin County is 4616km<sup>2</sup>. The total population was 0.4 million by the end of 2008. There are 17 minorities (with Manchu, Hui and Korean as the dominating) in the nine villages and towns of the whole county, occupying about 5.9% of the total population. In 2008, the local GDP was 5.21 billion Yuan, increasing by 15.6 % over the previous year. Of this, the added value of the primary, secondary and tertiary industries reached 1.63 billion Yuan, 1.58 billion Yuan and 2 billion Yuan respectively, representing increases of 9.7%, 18.5% and 17.8%. The structure rate of primary, secondary and tertiary industries is 31.5□30.3□38.2. The general budgetary revenue of the local government in 2008 was 0.23 billion Yuan, increasing by 30.9% over the previous year. The value-added of industrial enterprises above designated size was 1.89 billion Yuan, increasing by 14.2%. The total social investment in fixed assets was 2.87 billion Yuan, increasing by 45.2% ; the total volume of retail sales of social consumables was 1.5 billion Yuan, increasing by 24.4%; the per capita disposable income of urban residents was 10031 Yuan and the per-capita net income of rural people was 5949 Yuan, increasing by 25.6% and 19.8% respectively.

Table2-1 Basic Situation of Affected Zones by Harbin-Jiamusi Passenger Railway Dedicated Line

Items	Unit	Harbin					Jiamusi	Total
		Daowai	Acheng	Bin	Fangzheng	yilan	Suburb	
Land area	Km2	618	2445	3845	2969	4616	756	15249
Percentage to the total area of affected zones	%	4.05%	16.03%	25.21%	19.47%	30.27%	4.96%	
Total population by the end of 2008	Ten thousand person	75	58	62	22	40	28	285
Percentage to the total affected zones	%	26.28%	20.38%	21.79%	7.73%	14.06%	9.77%	1
Population per square kilometre	person	1210	237	161	74	87	368	187
Among which, Male	Ten thousand person	34	29	32	11	21	14	142
Percentage of affected population to the total population	%	45.73%	50.52%	51.29%	51.82%	51.75%	51.08%	49.76%
Among which, population of rural residents	Ten thousand person	12	34	52	12	27	16	154
Percentage of rural residents	%	16.33%	58.93%	83.19%	55.82%	68.73%	58.06%	54.07%
Area of farmland	hectare	29645	71400	167355	60891	176455	93293	599039
Area of farmland per capita	Mu	0.59	1.85	4.05	4.15	6.62	5.03	3.16
Area of farmland per capita of farmers	Mu	3.64	3.13	4.87	7.44	9.63	8.67	5.84

## 2.3. Social and Economic Survey

### 2.3.1. Overview

This section describes the socio-economic characteristics of the population who may face possible land loss or property loss. This information comes from the Third Railway Survey and Design Institute (TSDI), based on its on-site investigations and field social economic survey during the feasibility study stage.

### 2.3.2. Field investigation of TSDI (2009)

TSDI has been strongly supported by villagers and governments at all during the investigation. The investigation is completed through collecting data from the Bureau of Statistics, the National Development and Reform Commission and other relevant local government departments, and through holding informal discussions with local government officials. Detailed topics include the future industrial development, railway route selection, the location of the stations in the towns and villages, the setting of pedestrian access and culverts, arable land reduction, especially farmland acquisition and house demolition, and local economic development and poverty release. The investigation on physical impact will be based on the feasibility study. The investigation and statistics on agrarian Impact will be developed in a unit of village. The survey of private residential buildings will take a household as a unit. The survey on individually owned auxiliary facilities and trees will take a household as a unit. The survey on public infrastructures and special projects will take a unified organization as a unit.

Through the investigation, TSDI draws the following conclusions: local socio-economic development and environmental protection have been taken into consideration at the stage of line route selection; besides, in most cases, the village committees have allocated the reserved land to those who lost their land in the acquisition. As a result, the amount of the requisitioned land of the farmers is relatively reduced, and their income loss is not as much. These findings have been fully reflected in the project design and resettlement planning.

### 2.3.3. Socio-economic Survey of TSDI (2009)

In order to understand the basic living condition of the migrant families in the project area, the special investigation team under TSDI has launched a random sample survey on the production and living conditions of the affected families. The survey is made possible by comparing their similarities and differences.

The sample selection of affected migrant families under investigation uses cluster random sampling method in the form of survey, questionnaires and symposiums. By the field investigations within 71 villages and 26 townships along the Harbin-Jiamusi Railway Passenger Dedicated Line (names of towns and villages are listed on Table 2-3), 15 villages, urban areas of Harbin city and Jiamusi city are chosen as the socio-economic sample areas, and 133 households, a total of 628 people are investigated which accounts for 8.3% of the total households, 5.5% of the total people. Among those samples, there are 135 people in 28 rural households, 493 people in 105 urban households.

Table 2-3 Towns and Villages along the Harbin-Jiamusi Railway Passenger Dedicated Line

city	County\district	township	village	city	County\district	township	Village		
Harbin	Daowai District	Dongfeng Town	Wuxing Village	Harbin	Fangzheng county	Huifa Town	Lianbin Village		
			Qingfeng Village				Liudian Village		
			Xinli Village			Zhongxin Village			
		Yongyuan Town	Yonghe Village			Sihe Village			
			Yongle Village			Songnan Town	Xiangyang Village		
			Yongyuan Village			Fangzheng Town	Jianguo Village		
			Hongjun Village				Baming Village		
		Shuangyuan Village	Yihantong Town			Yihantong Village			
		A'cheng District				Feiketu Town	Feiketu Village	Jixing Village	
			Xinrong Village				Demoli Village		
	Binxian County	Binxi Town	Chaoyang Village			Damiluo Town	Damiluo Village		
			Xinfu Village				Xinglong Village		
			Yumin Village				Zhongxing Village		
		Juren Town	Fuhe Village			Dongsheng Village	Yilan County	Liandahe Town	Xinan Village
						Dongxing Village			Xiangqian Village
						Jixiang Village			Hongxing Village
						Hexing Village			Guanghui Village
		Binzhou Town	Xuanyang Village			Sijiqing Village	Yilan Town	Chenguang Village	
						Xinli Village		Yugong Town	Sixing Village
						Jingjian Town	Zhangwenbao Village	Hongkeli Town	Ma'anshan Village
							Zhaojiatun Village		Yangjiaogou Village
									Dongfanghong Village
									Hongwei Village

		Sanbao Town	Minsheng Village				Yangjiadian Village
		Bin'an Town	Minyou Village				Xiangshun Village
			Yongjiu Village				Wolong Village
		Chang'an Town	Yongxing Village	Jiamusi	Rural Area	Dalai Town	Xincun Village
			Yingkou Village				Zhongda Village
			Changling Village				Xinghua Village
		Daxing Village	Shengli Village				
		Shengli Town	Xianfeng Village			Aoqi Town	Yongren Village
			Min'an Village			Xigemu Town	Fengsheng Village
			Hongqi Village			Kaoshan Village	
			Wanchun Village			Changqing Town	Guangming Village
		Baidu Town	Lishu Village				Wanxing Village
						Hongfei Village	

Resource from: field investigation

The investigation team also asks 628 people for suggestions and recommendations to construction of the Harbin-Jiamusi Railway Line. Through the sample survey of households and data aggregation, and with our feasibility study and field survey, the indexes of physical volumes, such as the the affected houses, are listed in Table 2-4. Sample households include almost all the types of the affected households in the rural areas, covering nearly all the affected areas. They are thus representative and typical.

Methods of investigating the affected population, land, housing and auxiliary facilities, scattered trees and special facilities: site-division of county (city, district), township (town, street) and village (neighborhood) is the basis of ownership-division ; the affected housing and ancillary facilities is considered as the loss of the villagers, land the village's (neighborhood's); special facilities the counties' (cities', districts').

## 2.4. The affected people's socio-economic characteristics

### 2.4.1. Overview

The new Railway Passenger Dedicated Line from Harbin to Jiamusi lies in the Mid-east of China's Heilongjiang Province and is located in the south bank of the Songhua River. The line starts from the Harbin Station, through Binxian County, Fangzheng County, Yilan County, to the Jiamusi station, extending as far as 342.057km. Along the line there are 26 towns and 71 administrative villages. And on both ends, the line passes across five street offices including the Three Trees Street Office in Daowai

District, the Qiaonan Street Office in the outskirts, the Chang'an Street Office. The investigation team of TSDI has made an analysis on the socio-economic characteristics by collecting the socio-economic data in 2009. The investigation contains the following four aspects:

- I) Human resources: demographic and education / skill characteristics;
- II) Natural resources: land, forests and water;
- III) Material resources: the production and ownership of consumer assets;
- IV) Financial resources: household income and expenditure (for Loans).

#### 2.4.2. Human Resources

According to railway route planning and field visits, Table 2-4,2-5 shows the demolition of the affected villages and urban districts in Harbin and Jiamusi.

**Table 2-4 Affected Rural Areas along the H-J Railway Passenger Dedicated Line**

City	County	Township	Village	Rural Demolition						
				Relocated Households	Relocated population	Rural house demolition □□□				Σ
						total	Brick	Brick-wood	Mud-wood	
Harbin	Daowai District	Dongfeng Town	Wuxing Village	2	10	981	785	83	113	
			Qingfeng Village	1	5	330	264	26	40	
		Yongyuan Town	Yongle Village	1	5	304	243	18	43	
			Yonghe Village	3	15	1152	912	115	125	
			Shuangyuan Village	5	25	2062	1650	184	228	
		Binxian District	Binxi Town	Zhaoyang Village	13	65	6226	3741	1354	1130
	Xinfu Village			13	65	4792	3594	438	760	
	Binzhou Town		Hexing Village	15	75	6626	4262	1234	1130	
	Shengli Town		Wanchun Village	13	65	5835	4029	950	856	
	Fangzheng District	Yihantong Town	Demoli Village	15	75	5742	4354	639	749	
		Daluomi Town	Zhongxing Village	14	70	6302	3436	1810	1056	

**Resettlement Action Plan**

	Yilan District	Hongkeli Town	Hongwei Village	11	55	4827	2503	1064	1260	
			Yangjia Village	6	30	1214.35	787	239.35	188	
Jiamusi	Outskirt	Changqing Town	Guangming Village	43	215	19476.1	15581	2043.65	1851.45	
			Wanxing Village	52	260	23568	18856	2156.89	2555.11	
Total				207	1035	89436.45	64997	12354.89	12084.56	

**Table 2-5 Affected Urban Areas along the H-J Railway Passenger Dedicated Line**

Province	city	County	Street	Urban demolition				
				Relocated Households	Relocated population	urban house demolition □□□		
						total	Storied building	One-storey building
	Harbin	Daowai District	Three Trees Street Office	106	498	3180	780	2400
			total	106	498	3180	780	2400
Heilongjiang	Jiamusi	Ourskirt	Qiaonan Street Office	320	1544	16640	12360	4280
			Chang'an Street Office	85	408	3825	3200	625
			Zhanqian Street Office	153	736	7650	5300	2350
			Jiadong Street Office	309	1486	10549	2019	8530
			total	867	4174	38664	22879	15785
total				973	4672	41844	23659	18185

Resource from □ Feasibility study and field survey

The sampling survey involves 133 households and 628 people, and those over the age of 30 account for 70.53%, those below 30, 29.47%. Most of the investigated haven't received high education. Among them, those whose education level is lower than high school account for 85.5% or so, and most of them only received primary education. The proportion of people who have received college education only occupy 6.87%, and even less have received university education. The detail is listed in Table 2 -6.

**Table2-6 Affected People along the H-J Railway Passenger Dedicated Line**

Number	topic	prerequisite	proportion
--------	-------	--------------	------------

1	age	Below age 30	29.47%
		Age 30-50	42.11%
		Over age 50	28.42%
2	education	Below high school	85.50%
		High school\secondary school	7.63%
		College and above	6.87%
3	vocation	Civil servant	0.23%
		Military man	0.00%
		Business runner	0.12%
		Institution staff	0.43%
		Enterprise staff	3.32%
		student	5.46%
		farmer	90.56%
		others	0.12%
4	Average Population in each household □ person □		4.80

Resource from □ Field survey

### 2.4.3. Natural Resources

#### 2.4.6.1. Land Ownership

10. In the 1980s, the household contract responsibility system replaced the collective agricultural practices popular since the 1950s. Despite of this change, 5 to 10% of the total land is still collective reserved land which isn't allocated. Under the household contract responsibility system, land is distributed equally according to the size of each family, that is, on a per-capita basis. But different lands are diverse in quality and distance, so they are divided into several levels. In real distribution, to make it equal, lands of different levels will be equally divided and distributed. As a result, the lands assigned to each household are equal, but scattered. Each household is asked to sign a contract (the original contract period was 15 years but was changed to 30 years after 1998), and is given the land use rights. The ownership of the land still belongs to the original production team - also known as groups of villagers. According to the survey, the forms of land adjustment diverse and the frequency vary greatly.

#### 2.4.6.2. Arable land, orchards, economic forest

The farmers under survey cultivate a total of 581 mu of land. Almost all farmers own dry land. In addition, the majority of surveyed farmers breed fish or poultry; 5% of

them own orchard or economic forest and land, the area of which ranges from 1 mu to 20 (fruit trees or tobacco are planted).

In the survey, farmers in average are contracted 20 mu of arable land; with all the other agricultural land (such as slopes, woodland and orchards), the farmland on per capita is 4.27 mu. For most farmers, land is abundant, but land on each capita in Chaoyang Village is smaller, about 3 mu.

#### 2.4.6.3. Forest Land

Among all the surveyed farmers, some have a contracted area of forest land ranging from 2 mu to 40 mu. We know from field survey that all the forest land is owned by the collective village, and every village has one or two rangers to protect these forests.

#### 2.4.4. Material resources

The economic survey team of TSDI has paid visits to and made sample surveys of the agricultural areas along the line. The characteristics of the material resources are as follows (Table 2-7).

##### 2.4.4.1. Farmers' Houses and Appendages

In the project area, most houses are brick-concrete structure, having reflected the traditional architectural style of the region. Houses and other facilities are in good condition; electricity is available in each household; 46% of the households have running water indoors or in the yards; about 50% of the households have fixed phones, 98% having mobile phones.

##### 2.4.4.2. Farmers' Production Materials

Sample villages have a high owning rate of the production materials. More than 71% of households have carts, 28% have tractors, and 32% have motorcycles. In a small number of regions, the owning rate of non-agricultural assets is not high, which means that ownership of these facilities is likely to increase after traffic situation has improved.

##### 2.4.4.3. Household durables in the Farmers'

The owning rate of durables shows very well the financial condition of the farmers. About 98% of the households have color TVs, 77% of the farmers have VCD or similar appliances, about 45% have washing machines, and about 62% have refrigerators.

Table 2-7 Farmers' Material Resources

Housing condition			Water supply		
Material	household	%	Way of supply	household	%
Brick-concrete	24	85.71	Running water indoors	5	18.57
Brick-wood	2	7.14	Running water in the yard	8	27.14
Mud-wood	1	3.57	Well in the yard	10	35.71
others	1	3.57	other	5	18.58
total	28	100	total	28	100
Durable consumption			Production material		
object	ownership		object	ownership	
Washing machine	45%		Farm truck	0.06%	
refrigerator	62%		tractor	28.57%	
Fixed phone	50%		Threshing machine	1.24%	
Mobile phone	98%		generator	0.00%	
Color TV	98%		cart	71.43%	
Black and white TV	0		Water-pump	6.14%	
VCD.	77%		tricycle	7.14%	
Electric fans	100%		motorcycle	32.14%	
Solar water heater	2%		Car\taxi	1.57%	

Resources from: socio-economic investigation

The economic survey team of TSDI has paid visits to and made sample surveys of the urban areas along the line. The characteristics of the material resources are as follows (Table 2-8).

#### 2.4.4.4. Urban Residents' Houses and Appendages

In the project area, most houses are storied buildings and brick-concrete one-storey structure. Average housing area is 24 □ or so. Houses and other facilities are in good condition; electricity is available in each household; all the households have running water indoors; about 94% of the households have fixed phones, all having mobile phones.

#### 2.4.4.5. Urban Residents' Production Materials

Sample urban families have a high owning rate of motorcycles. About 11% of households have motorcycles, 8% have cars, and 5% have tricycles. The owning rate of these facilities is likely to increase after economic development is promoted and traffic situation is improved.

#### 2.4.4.6. Household durables in the urban residents'

The owning rate of durables shows very well the financial condition of the urban residents. Almost all the households have color TVs (many are cable TV), about 38% have computers, 82% have VCD, about 72% have washing machines, and about 85% have refrigerators.

**Table 2-8 Urban Residents' Material Resources**

<b>Housing condition</b>			<b>Water supply</b>		
Material	household	%	Way of supply	household	%
Many-Storied building	85	81	Running water indoors	105	100
One-storey building	20	19	Running water in the yard	0	0
others	0	0	Well in the yard	0	0
			other	0	0
total	105	100	total	105	100
<b>Durable consumption</b>			<b>Production material</b>		
object	ownership		object	ownership	
Washing machine	72%		Farm truck	0.06%	
refrigerator	85%		tractor	0%	
Fixed phone	94%		Threshing machine	0%	
Mobile phone	100%		generator	0%	
Color TV	100%		cart	0%	
Computer	38%		Water-pump	0%	
VCD.	82%		tricycle	5%	
Electric fans	89%		motorcycle	11%	
Solar water heater	69%		Car\taxi	8%	

## 2.4.5. Farmers' Financial Resources

### 2.4.5.1. Farmers' Income

20. Income data of the affected rural residents is listed in Table 2-9. In 33.33% households, the annual net income per capita is less than 10 thousand yuan, while 66.67% over 10 thousand. There are two households in Demoli village whose annual income per capita is 280 thousand, much higher than the others, because they have their own restaurants in the motorway service area. Generally, Demoli village is rather poor, with 34 minimal needs households, 7 households enjoying five guarantees, whose population adds up to 50. The overall income level is rather low and the gap between the rich and the poor is large, but no resettled households are Five Guaranteed.

**Table 2-9 Rural Residents' Annual Income per Capita**

village	Zhongxing Village	Yangjiadian Village	Yongle Village	Hongwei Village	Hexing Village	Guangming Village
Annual income Per capita (thousand)	6.8	5.8	8.5	9.3	17.7	15.7
Village	Wanchun Village	Chaoyang Village	Wanxing Village	Shuangyuan Village	Wuxing Village	Demoli Village
Annual income Per capita (thousand)	7.0	9.0	12.8	16.3	10.2	3.0

Resource from: field investigation

### 2.4.5.2. Source of Income

21. In most investigated households, income mainly comes from agricultural cultivation and breeding, and the latter tops all the others. 89% of households are engaged in crop cultivation, and in poorer families a larger proportion of their income comes from it; more than 80% of households are engaged in breeding, whose profit is relatively bigger; 27.46% of households are in the fruit industry, and about 9.3% have small grocery shops; only 0.52% of households run factories, which are rather profitable and whose income tops that of all the others. Table 2-10 for detail.

**Table 2-10 Resources of Income of the Affected Rural Households**

Resource	Proportion of households	Proportion of Income in one household
Food crop	89.93%	54.02%
Economic crop	55.39%	8.02%
Fruit Industry	27.46%	2.65%
Breeding	84.33%	30.03%

Small grocery shops	9.3%	1.48%
Wage	71.6%	3.55%
Factory	0.52%	0.25%

Resource from: field investigation

#### 2.4.5.3. Consumption and Saving of the Farmers

From the expenditure data of 28 investigated rural households listed in Table 2-11, we can see that the annual expenditure per capita is 5.9 thousand yuan in 2009. The average annual expenditure is diverse in different regions. For instance, per capita spending in Shuangyuan village is 9.2 thousand yuan, which is the highest; while in Demoli village, per capita spending is only 2.8 thousand, which is the lowest.

**Table 2-11 Annual Expenditure per Capita of the Affected Rural Residents**

Village	Zhongxing Village	Yangjiadian Village	Yongle Village	Hongwei Village	Hexing Village	Guangming Village
Annual expenditure Per Capita (thousand)	3.9	3.6	4.2	5.1	8.7	7.1
Village	Wanchun Village	Chaoyang Village	Wanxing Village	Shuangyuan Village	Wuxing Village	Demoli Village
Annual expenditure Per Capita (thousand)	3.8	6.5	7.3	9.2	8.8	2.8

Resource from: field investigation

In the affected population, the expenditure for basic needs such as living facilities and children's education occupies the largest share, accounting for 62%. Conclusion of field investigations shows that the purchase of electrical appliances to improve housing condition is one of the main expenditures. So are the tuition fees, because these families are concerned about the education of the next generation. In regard of the 2 aspects, the resettled residents are different from the unresettled who live in the mud-wood houses need not worry about the demolition. Their savings vary as well.

#### 2.4.6. Urban Residents' Financial Resources

##### 2.4.6.1. Urban residents' Income

From the income data of the affected urban residents, 82% of the urban households have an annual net income per capita of more than 10 thousand yuan, while 18% below that.

#### 2.4.6.2. Source of Income

In most investigated households, income mainly comes from wage and business, and the latter tops all the others. 49% of the investigated households run businesses, and they usually have high income; 51% of the households depend on wages or other channels, whose income is lower.

#### 2.4.6.3. Consumption and Saving of the Urban Residents

From the expenditure data of 105 investigated urban households, we can see that the annual expenditure per capita is 8.1 thousand yuan in 2009. The average annual expenditure is diverse in different regions. For instance, per capita spending in Daowai district, Harbin, is 8.7 thousand yuan, which is the highest; while in the outskirt of Jiamusi, per capita spending is only 6.8 thousand, which is the lowest.

In the affected population, the expenditure for food, education and health care occupies the largest share, accounting for 50%. Conclusion of field investigations shows that the percentage of food purchase is larger than that in the countryside. The expenditure on health care is also high, because with the improvement of living standards urban residents are more concerned about their health than before. 10% of the total income is used to pay for the loans of houses and cars. The rest income is usually saved in the banks, and the savings vary from one to one.

#### 2.4.7. The Condition of the Ethnic Minorities

28. The ethnic groups in Harbin and Jiamusi are mainly Manchu, Korean, Hui, Hezhe and so on. Most of them are distributed in various ethnic townships. The distance from these ethnic townships to the Harbin-Jiamusi Railway Passenger Dedicated Line is shown in Table 2-12. According to the study, within impact zone of the Line, the more distant the townships are, the weaker the impact is. And if the distance is over 5 km, the impact can be ignored. The ethnic minority villages and towns are located further than 5 km from the Line; therefore, they are not affected.

**Table 2-12 Ethnic Minority Villages and Towns along the Line**

City	County	Township	Village	Distance to the Line	Affected or not
<b>Harbin</b>	Binxian County	Juren Town	Sanhe village	6	×
	Fanzheng County	Baoxing Town	Shuguang village	15	×
			Xinfeng village	9	×
		Deshan Town	Xincheng village	8	×
		Daluomi Town	Hongguang village	10	×
	Yilan County	Yinglan Korean Town	Zhongyuan village	8	×
			Heping village	11	×

		Nongfeng village	15	×
	Tuanshanzi Town	Nongzhuang Korean Village	21	×
		Qingchun Hui village	6	×

Resource from: field investigation

The ethnic minorities, besides living in the ethnic minority towns and villages, are scattered in other non-minority towns, villages and streets. The percentage of minorities, however, is rather low, only about 3%, and the rest 97% is Han.

No ethnic minority townships along the Line are affected by land acquisition, demolition, construction and so on. There's no obvious difference between the minorities and the Han in production style, lifestyle, living standards, cultures, and customs. During the construction of the Line, ethnic minorities can be employed in order to increase their income; they enjoy the same rights as the Han residents.

#### 2.4.8. Poor families

Poor families, including families with disabled or chronically ill and the families with women as the main labor force. If one family member alone or woman alone bears the majority of work at home, the family doesn't earn extra wages and thus is poorer. The poor under investigation occupy only 2% of the total poor population.

Poor households are not concentrated in some village or street. They exist in area both poor and rich. Therefore, their cases need be treated respectively. They will receive special financing, which aims to help improve their living condition after the completion of the project.

## CHAPTER 3 PROJECT IMPACT

### 3.1. Project Impact Scope

The overall length of the Harbin-Jiamusi Railway Passenger Dedicated Line is 342.057km, and it is a double-track electric railway line. There are 10 railway stations along the Line. The new Railway Passenger Dedicated Line lies in the Mid-east of China's Heilongjiang Province and is located in the south bank of the Songhua River. The line starts from the Harbin Station, through Binxian County, Fangzheng County, Yilan County, to the Jiamusi station. It has passed through 2 cities, 3 counties and 3 districts. The special impact of the project includes: permanent land acquisition and demolition of various types of buildings; influence to the buildings and relevant appurtenances, equipments and infrastructure; temporary land use.

Physical losses and the number of affected population are based on the feasibility study of the Design Institute. And the data mentioned in this paper is not the final one. Only after the design grows deeper and the land acquisition boundary is fixed can the data be finalized. And only when the data is finalized can the contract with the affected villages and the villagers be signed.

### 3.2. The physical indicators of project impact

#### 3.2.1. Permanent land acquisition

##### 3.2.1.1. The amount of permanent land acquisition

The overall permanent land acquisition is 21,244 mu, among which, 13,548 mu is cultivated land (paddy fields 688.86 mu, dry 12,859.14 mu), accounting for 63.77%; 113.9 mu is orchard, accounting for 0.54%; forest land 6297.8 mu, accounting for 29.65%; reservoirs 123.6 mu, accounting for 0.58%; construction land (including residential land) 639.5 mu, accounting for 3.01%. Other land 521.2 mu, accounting for 2.45%. There is an average of 63.2 mu of permanent land acquisition per kilometer, including stations and related facilities.

##### 3.2.1.2. Analysis of the Impact of Permanent Land Acquisition

Land acquisition for the Harbin-Jiamusi Railway Passenger Dedicated Line is less troublesome in that (1) railway is linear, and this character has determined that the project would have limited impact on the regions along the line; (2) the proportion of the total length of bridges and tunnels is over 55%, so the amount of land acquisition

is greatly reduced; (3 ) existing railway stations at both ends will be retained and, within the city limits, existing railway lines will be utilized. Altogether, there are 2 cities, 3 counties, 3 districts, 26 townships, 71 administrative villages affected by the land acquisition.

Table 3-1 Permanent Land Acquisition in Different Cities and Counties

unit□mu

City	Counties And Districts	Total	Arable land				Orchard	Forest	Grassland	Reservoir	Others	Construction land	Unused
			Total arable land	Paddy Field	Dry Field	Vegetable field							
Harbin	Daowai District	1001.79	847.3	4	843.3	0	37.4	0	0	26.1	0	90.99	
	A'cheng District	1754.09	1585.5		1585.5		4.5	26.7		60.6	36.2	40.59	
	Binxian District	6204.63	4216.63	26.7	4189.93		0	1922.4	0	0	0	65.6	0
	Fangzheng District	4022.71	1635.77	656.46	979.31	0	0	2365.84	0	13.8	0	7.3	0
	Yilan District	4401.68	2620.2	1.7	2618.5	0	0	1697.76	0	2.1	0	81.62	0
Harbin total		17385	10905.4	688.86	10216.54		41.9	6012.8		102.6	36.2	286.1	0
Jiamusi	Rural	3859	2642.6		2642.6		72.0	285.0		21.0	485.0	353.4	0.0
Jiamusi total		3859	2642.6		2642.6		72.0	285.0		21.0	485.0	353.4	0.0
Harbin and Jiamusi Total		21244	13548	688.86	12859.14		113.9	6297.8		123.6	521.2	639.5	0

There is a total of 17,385 mu of land acquisition in the City of Harbin, with an average of 285 mu for each village; In Jiamusi City, the total land acquisition is 3,859.1 mu, an average of 385.9 mu for each village. The rural areas under acquisition in the two cities are different, and the topography and the distribution of stations are uneven. The land acquisition of the stations is concentrated, while that of the line, because of the diversity of bridge's, tunnel's and roadbed's land acquisition in mountainous and flat areas, is scattered and varied. Data of permanent land acquisition based on villages is listed in Annex 2.

Villages near the railway station and villages whose cultivated area is small are the worst affected. Other villages, compared to them, are less affected. Among the total 71 villages, no one loses all the village land. There are 39 villages whose requisitioned cultivated land area occupies less than 1% of the total cultivated land area, and 5 villages, 3%-5%; 27 villages, 1%-3%. **The measure is particularly effective to the project as the volume of land per capita is relatively higher (farmlands per capital are 4.27 acres in economy investigations), meanwhile, the project belongs to linear engineering, the proportion of the amount of land acquisition is not very big relatively, and village flexible lands occupy about 5-10% of the total land area, therefore, even though it is no need to totally readjust and reallocate the lands, it can still fully satisfy the need of those expropriated households who are willing to be adjusted.** The details of the 5 worst affected villages are listed in Table 3-2. Detailed proportion of the requisitioned land in each village is in Annex 3.

**Table 3-2 Detail of the 5 Worst Affected Villages**

City	County And District	Township	Village	Totle arable land in Each village (mu)	Land acquisition area (mu)	Proportion
Harbin	A'cheng District	Feiketu Town	Feiketu Village	22305	796.29	3.57
			Xinrong Village	19874	789.21	3.97
	Binxian County	Binzhou Town	Xinli Village	10596	349.7	3.30
	Yilan County	Yugong Town	Sixing Village	3980	193.19	4.85
Jiamusi	Rural	Changqing Town	Wanxing Village	9620	386	4.01

Resource from: feasibility study and field investigation

### 3.2.2. Temporary Land Acquisition

During the construction period, a certain area of temporary land needs be requisitioned. The design institutions estimate that about 9972.4 mu of land will be temporarily borrowed in the project. The borrowed land is used mainly as the access roads, the construction sites and so on. After completion of the project, the construction units will restore the farming condition of the land and return it to the land owners. Construction companies and local land owners will sign an agreement on the temporary land acquisition. Details of the large-scale temporary works are listed in Table 3-3, county- or district-based statistics of the temporarily requisitioned land is in Table 3-4, and village-based statistics are in Annex 4. It should be noted that the data in the paper are just estimations based on the Design Institute's past experience. Actual data cannot be determined before the consultation between the local government and the construction units.

**Table 3-3 large-scale temporary works of the project**

Number	Project	Unit	Amount
1	Beam field storage system		10
2	Laying base		2
3	Sidewalk	km	202.0
4	Graded gravel mixing plant		14
5	Concrete mixing plant		32
6	Power line	km	163.0
7	Communications line	km	343.1
8	Material factory		4
9	Water pipe	km	3.8
10	Temporary bridge	m	2615
11	Orbital plate ground		3

Table 3-4 county- or district-based statistics of temporarily requisitioned land

unit: mu

City	County\ District	Total	Arable 1				Orchard	Forest	Grassland	Reservoir	Others	Construction land	Unused
			Total arable land	Paddy Field	Dry Field	Vegetable field							
Harbin	Daowai District	40.6	40.6		40.6								
	A'cheng District	101.9	101.9		101.9								
	Binxian District	4186.4	4186.4		4186.4								
	Fangzheng District	2110.7	2110.7		2110.7								
	Yilan District	3018.5	3007		3007						11.5		
Harbin total		9458.1	9446.6		9446.6						11.5		
Jiamusi	Rural	514.3	313.5		313.5		200.8						
Jiamusi total		514.3	313.5		313.5		200.8						
Harbin and Jiamusi Total		9972.4	9760.1		9760.1		200.8				11.5		

Resource from: feasibility study and field investigation

### 3.2.3. House Demolition

Demolition areas for The Harbin-Jiamusi Railway Passenger Dedicated Line locate mainly at the two ends, that is, Harbin and Jiamusi, especially factories and mines in the two cities. In rural areas, land acquisition and demolition mainly happen in the place where stations are located. In addition, in rural areas, large areas of land acquisition mainly locate at the station.

Overall building demolition area is 478, 324 m<sup>2</sup>, including: rural house demolition area 341, 100 m<sup>2</sup>, 71.31% of the total demolition area; enterprises demolition area 95, 380 m<sup>2</sup>, accounting for 19.94% of the total; urban residence demolition area 41, 844 m<sup>2</sup>, 8.75% of the total. County- or district-based statistics of demolition area are listed in Table 3-5. Detailed statistics of demolition area in each village (neighborhood) are in Annex 5.

### 3.2.4. Project affected population

The total affected population is 11,439, of whom 3070 are in rural areas, namely 640 households. Among those affected in rural areas, 2255 people (479 households) are impacted by land acquisition, 1035 (207) are impacted by demolition, and 220 people (46 households) are impacted by both. The project also brings trouble to 23 factories and mines, whose demolition area reaches 95,380 m<sup>2</sup>, involving 3697 people. Besides, 4672 urban residents (973 households) are affected. Details of project-affected population are in Table 3-6.

Table 3-5 county- or district-based statistics of the demolished land area

Province	City	County\ District	Rural demolition							Other demolition				Total
			Demolished (Household)	Demolished (Population)	Demolished rural house(m <sup>2</sup> )					Factory house	School house	Commercial house	Urban residence	
					total	Brick-concrete	Brick-wood	Mud-wood	slum					
Heilongjiang	Harbin	Daowai District	12	60	14829	4904	426	549	8950	57476	0	0	25819	98124
		A'cheng District	0	0	0	0	0	0	0	0	0	0	0	0
		Binxian District	54	270	84516	28526	6032	3876	46082	10000	0	0	0	94516
		Fangzheng District	29	145	77022	21790	12227	1805	41200	0	0	0	0	77022
		Yilan District	17	85	56781	10552	5324	4448	36457	0	0	0	0	56781
		Total	112	560	233148	65772	24009	10678	132689	67476	0	0	25819	326443
	Jiamusi	rural	95	475	107952	64437	4175	5470	33870	27904	0	0	16025	151881
		total	95	475	107952	64437	4175	5470	33870	27904	0	0	16025	151881
<b>Total</b>			207	1035	341100	130209	28184	16148	166559	95380	0	0	41844	478324

Resource from: feasibility study and field investigation

Table 3-6 statistics of population affected by demolition and land acquisition

Province	City	County\ district	Rural affected population								Other affected population				Total
			Total rural affected population		Rural Land acquisition-affected population		Rural Demolition-affected population		Rural land acquisition-And demolition-affected population		Factory	School	Urban resident	Commercial building	
			Household	Population	Household	Population	Household	Population	Household	Population	Population	Population	Population/household	Population	
Heilongjiang	Harbin	Daowai District	82	394	73	349	12	60	3	15	2150		498/106	0	30
		A'cheng district	120	575	120	575	0	0	0	0	0	0	0	0	57
		Binxian County	123	583	91	420	54	270	22	107	350	0	0	0	93
		Fangzheng county	96	449	73	335	29	145	6	31	0	0	0	0	44
		Yilan County	71	357	61	297	17	85	7	25	0	0	0	0	35
	Jiamusi	Rural	148	712	61	279	95	475	8	42	1197	0	4174/867	0	60
Total			640	3070	479	2255	207	1035	46	220	3697	0	4672/973	0	114

Resource from: feasibility study and field investigation

### 3.2.5. Enterprises

The project impacts a total of 23 factories and mines. The demolition area is 95,380 m<sup>2</sup>, involving 3697 people. Details are in Table 3-7.

**Table 3-7 details of demolished factories and mines**

<b>County\ District</b>	<b>Enterprises names</b>	<b>Demolished Area (m2)</b>	<b>Affected population</b>	<b>Degree of effect</b>
Daowai District	Golden Elephant Art Glass	1892	55	all
	North Edge Measuring Tool Factory	3341	53	All
	Xingsheng Plastic Packaging Company	4000	60	All
	Xinlong Machinery Factory	1900	85	All
	Hongda Hardware Factory	2697	85	All
	Three Trees Locomotive Depot	3215	42	All
	Longyun Road Passenger Transport Co., Ltd.	2600	80	All
	Machinery Branch of Special Equipment Co., Ltd.	3500	90	All
	Qiaoyi Stainless Steel Co., Ltd.	2478	190	All
	Zhonglian Machinery Manufacturing Co., Ltd.	3800	220	All
	Zhengda Medical Equipment Factory	4753	220	All
	Chenggongweiye Doors and windows company	3100	210	All
	Aosen Furniture Factory	4000	102	All
	Auto Electric Factory	2200	180	All
	Common Non-standard Tool Factory	5000	180	All
	Wei Cheng Cable Co., Ltd.	3700	30	All
	The 4 <sup>th</sup> Material Branch of the 13th Engineering Bureau under the Ministry of Railways	5300	68	Partly
<b>Total: 17 companies</b>		<b>57476</b>	<b>1950</b>	
Binxian	Gaoleng Hatching and Breeding Base	4800	143	Partly

County	Fangzheng Power Magazine	5200	147	All
<b>Total: 2 institutions</b>		<b>10000</b>	<b>290</b>	
Jiamusi	Shihongxing Construction Company, the 6 <sup>th</sup> Agency	1704	153	All
	Military Facilities	7329	164	7 parts
	Jiaying Glass Co. Ltd.	14371	1020	Partly
	Tianyi Briquette Plant	4500	120	Partly
<b>Total: 4 companies</b>		<b>27904</b>	<b>1457</b>	
<b>All: 23</b>		<b>95380</b>	<b>3697</b>	

Resource from: feasibility study and field investigation

### 3.2.6. Commercial shops and commercial residences

At the stage of feasibility study, no commercial shops and commercial residences are affected.

### 3.2.7. Scattered trees and graves

The scattered trees affected by the project include those around the houses, on the farmlands and in other places. Due to the construction, a total amount of 2,627,218 scattered trees need be cut down or removed or requisitioned. At the same time, a total of 60 graves will be displaced. **Others to be demolished include 30 sites for wells and water-pumps (30m deep and diameter 0.6m), 5 motor-pumped wells, 73,768 square meters fish pond and 201,747 square meters Greenhouse.**

### 3.2.8. Infrastructure

The affected infrastructures mainly involve power lines, telecommunications lines and communications cables, drains, water pipes, oil pipelines and roads. They will be protected and repaired as much as possible. The construction units are responsible for the infrastructure rehabilitation, so the costs will be included into the project cost, instead of the resettlement budget. Details about the impact on major infrastructure are listed in Table 3-8.

**Table 3-8 Details about the impact on major infrastructure**

<b>Project</b>	<b>Unit</b>	<b>Amount</b>
Road diversion	meter	49, 538
Power line displacement	km	246.7
Telecommunications line displacement	km	366.9

Pipeline displacement	km	157.8
Drains	km	5.3

Resource from: feasibility study and field investigation

### 3.2.9. Environmental Impact

**Noise and Vibration Impact:** There are altogether 138 noise-sensitive points along the line, among which there are 21 noise-sensitive schools and 117 noise-sensitive residential areas. Main noise pollution control measures include: setting up 41 noise barriers which are 3.15 m high and add up to 15, 260m long in the bridge sections; setting up 24 noise barriers which are 3m high and adds up to 13, 140 m long in the road sections; installing 138 noise ventilation windows which occupy 119, 585 m<sup>2</sup>; installing more noise ventition windows after more noise-sensitive points are discovered in the test run **by specialized acceptance organization which is entrusted by construction unit during the trial operation until the project is completed.**

According to the analysis of vibration impact, the vibration sensitive points whose vibration is over 80dB will be installed damper rails or residents on these points will be resettled. The total damper rails installed in Harbin and Jiamusi is 27,320 m long; and resettlement compensation will be reserved for the 206 households living on these sensitive points. Practical actions will be taken after real noise and vibration levels are measured in the test run **by specialized acceptance organization which is entrusted by construction unit during the trial operation until the project is completed. Fees of acceptance inspection and other probable expenditures arising from control measures used for noise and vibration are all listed in construction costs.**

**Electromagnetic radiation:** Upon completion, the electromagnetic radiation generated by the trains will have impact on the TV signals. This impact can be eliminated by having access to cable television network. The method will also eliminate the reflection and occlusion of the body of trains completely. We recommend reserving compensation fees for the residents whose TV signals are affected. The compensation, adding up to 719 thousand yuan, will cover cable TV access fee and satellite antenna purchase fee. Each affected household will receive 500 yuan if, after the test run, effect can be monitored **by specialized acceptance organization which is entrusted by construction unit during the trial operation until the project is completed.**

## Chapter 4 RAP Policy Framework

### 4.1. Resettlement Target

The resettlement target for the affected people of GY-GZ Railway Line include:

- ◆ To take construction, technical and economic measures to avoid or minimize land acquisition and structure demolition; When land acquisition and demolition are unavoidable, to take effective measures to minimize the impact on the production and lives of the affected people;

Conduct socioeconomic survey and compile a relevant resettlement plan during the preparation stage;

With resettlement, target entities and compensation standards as the foundation, improve or at least recover the standard of production and living of the affected people.

Initiate resettlement development. The resettlement of villagers is to make use of land as the foundation, to suitably develop non farm for creating more employment chances.

Establish and improve the social security system of villagers affected by land acquisition.

- ◆ Encourage the resettlers participation in resettlement activities.
- ◆ Prioritize resettling the resettlers within their original society.

### 4.2. Applicable Laws and Policies

#### 4.2.1. Involuntary resettlement policy of the World Bank

The objectives of the Bank's policy on involuntary resettlement□

The World Bank policies on involuntary resettlement are described clearly in OP4. 12. The overall objectives of the Bank's policy on involuntary resettlement are the following:

- ◆ Involuntary resettlement will be avoided where feasible, or minimized, exploring all viable alternative project designs.
- ◆ Where it is not feasible to avoid resettlement, resettlement activities will be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons will be meaningfully consulted and

will have opportunities to participate in planning and implementing resettlement programs.

- ◆ Displaced persons will be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

Required measures to achieve the objectives

- ◆ The resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are informed about their options and rights pertaining to resettlement.
- ◆ The displaced persons are consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives.
- ◆ The displaced persons are provided prompt compensation at full replacement cost for losses of assets attributable directly to the project.
- ◆ If the impacts include physical relocation, the resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are provided assistance (such as moving allowances) during relocation.
- ◆ The displaced persons are provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, location advantages, and other factors is at least equivalent to the advantages of the old site.
- ◆ Where necessary to achieve the objectives of the policy, the resettlement plan or resettlement policy framework also include measures to ensure that displaced persons are offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living.
- ◆ The displaced persons are provided with development assistance such as land preparation, credit facilities, training, or job opportunities.
- ◆ Particular attention is paid to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples, ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation.
- ◆ Preference will be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based. These strategies may include resettlement on public land or on private land acquired or purchased for resettlement. Whenever replacement land is offered, resettlers are provided with

land for which a combination of productive potential, vocational advantages, and other factors is at least equivalent to the advantages of the land taken. If land is not the preferred option of the displaced persons, the provision of land would adversely affect the sustainability of a park or protected area,<sup>16</sup> or sufficient land is not available at a reasonable price, non-land-based options built around opportunities for employment or self-employment will be provided in addition to cash compensation for land and other assets lost. The lack of adequate land must be demonstrated and documented to the satisfaction of the Bank.

- ◆ Payment of cash compensation for lost assets may be appropriate where (a) livelihoods are land-based but the land taken for the project is a small fraction<sup>17</sup> of the affected asset and the residual is economically viable; (b) active markets for land, housing, and labor exist, displaced persons use such markets, and there is sufficient supply of land and housing; or (c) livelihoods are not land-based. Cash compensation levels will be sufficient to replace the lost land and other assets at full replacement cost in local markets.
- ◆ Displaced persons and their communities, and any host communities receiving them, are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement. Appropriate and accessible grievance mechanisms are established for these groups.
- ◆ In new resettlement sites or host communities, infrastructure and public services are provided as necessary to improve, restore, or maintain accessibility and levels of service for the displaced persons and host communities. Alternative or similar resources are provided to compensate for the loss of access to community resources (such as fishing areas, grazing areas, fuel, or fodder).
- ◆ Patterns of community organization appropriate to the new circumstances are based on choices made by the displaced persons. To the extent possible, the existing social and cultural institutions of resettlers and any host communities are preserved and resettlers' preferences with respect to relocating in preexisting communities and groups are honored.

#### 4.2.2. Domestic Legal Framework

The People's Republic of China has formulated a complete set of legal and policy framework regarding land acquisition, house demolition, and resettlement of resettlers and standards of compensation. Since 1986 when "The People's Republic of China Land Administration Law" was promulgated, it has been revised three times according to the changes of national conditions. The latest revision was made on August 28, 2004 by the standing committee during the 11th conference in The Tenth

National People's Congress. Within the national legal and policy framework, governments of every level respectively promulgated and implemented relevant laws and policies that conform with the local conditions to manage and guide the work of land acquisition, house demolition, resettlement of resettlers and compensation. Guizhou Province, Guangxi Zhuang Autonomous Region and Guangdong Province have formulated relevant local laws and policies to manage and guide related work locally. Every prefecture level cities, county level cities, districts, counties under the jurisdiction of the 3 provinces (region) have all implemented relevant regulations from their provincial governments.

Land acquisition, demolition and resettlement of this project are to conform to relevant regulations and implementation methods of each province (autonomous region), World Bank's Social Security Policies and design documents of this project (See Attachment 9 for some relevant policies). They mainly include:

- ◆ The Law of Land Administration Law of the People's Republic of China, (revision made on August 24, 2004)
- ◆ Provisions for Implementing the People's Republic of China Land Administration Law, State Council Decree No. 256, Effective on January 1999;
- ◆ Provisions on the Protection of Farmlands, State Council Decree No. 257
- ◆ Interim Regulation on the Farmland Occupation Tax of the People's Republic of China, No. 1987-27 of the State Council
- ◆ Implementation of Forestry Law of the People's Republic of China, No. 278 of the State Council
- ◆ Provision on the Planning and Construction of Villages and Towns (State Council Decree 116, effective in November 1999
- ◆ Decision on Intensive Reformation and Strict Land Administration, GF [2004] No. 28;
- ◆ "The State Council general office transmit the notice of Ministry of Labor and Social Security about guiding opinion on re-employment training and social security of land-expropriated farmers"(State Council [2006] 4)
- ◆ "Notice of the General Office of the State Council concerning the issues about establishment of supervisory system on national land"(State Council [2006] 50, July 2006)
- ◆ "Circular of the State Council on Intensifying the Land Control"(August 2006)
- ◆ "Notice on intensifying the foundations land control of the village house"(Ministry of land and resources [2004] 234, November 2004)

- ◆ “Notice on the sound system of land compensation and resettlement guidance ”(Ministry of Land and Resources [2004] 238, November 2004)
- ◆ “Suggestions on Doing Basic Farmland Protection Work Well Furthurly”(Ministry of Land and Resources [2005] 196, September 2005, Ministry of Land and Resources, Ministry of Agriculture, National Development and Reform Commission, Ministry of Finance, Ministry of Construction, Ministry of Water Resources, State Forestry Bureau)
- ◆ “Notice on Further Strengthening the Land Resources Supervision and Enforcement Works ”(Ministry of Land and Resources [2005] 220, October 2005)
- ◆ Notice on “Outline of the Eleventh Five-Year Plan for Cadastre Administration” (Ministry of Land and Resources [2006] 137, June 2006)
- ◆ Notice on Furthering Strengthening the Management on Land Requisition Issued by the State Administration of National Land and Resources (June 26, 2010)
- ◆ “Notice of State Price Control Bureau and Ministry of Finance on issuing some charging items and charging standard of land control department” ( [1992] Price No.597 )
- ◆ “Land Management Regulations of Heilongjiang” (Effective from 1 January 2000)
- ◆ “Regulation on the Dismantlement of Urban Houses of Heilongjiang” (Effective from 1 March 2002)
- ◆ “Methods Applied in Comprehensive Zone Price of Land Requisition the in Heilongjiang Province” (No. 101 [2008] Issued by Heilongjiang Government, Effective from 1 January 2009)
- ◆ “Notice of Heilongjiang Government on Printing and Distributing the Methods Applied in Tax on the Use of Arable Land in Heilongjiang Province” (No.88 [2008] Issued by Heilongjiang Government)
- ◆ “Pilot work implementation program to improve the social security system in urban areas of Heilongjiang” (No.13 [2004] Issued by Heilongjiang Government)
- ◆ “Notice of the General Office of Heilongjiang Government on Printing and Distributing the Dispute Settlement of Land Expropriation Compensation & Settlement” (No.4 [2008] 27 January 2008)
- ◆ “Methods applied in land reclamation in Heilongjiang Province” (Effective from 1 January 1990)
- ◆ “Charging standard of land reclamation in Heilongjiang Province” (Heilongjiang land [1991] No. 81)

- ◆ “Cultivated land reclamation and application management method in Heilongjiang Province” □Heilongjiang land and resources [2001] No.111□
- ◆ “Notice on issues about regulating the forest land expropriation and occupation compensation ” □Heilongjiang forest [2007] No.186□
- ◆ “Notice of Haerbin government concerning the promulgation and implementation of standard of integrated section price of land expropriation in Haerbin ” □Haerbin government law [2009] No.3, effective from 1 January 2009□
- ◆ “Notice of Acheng government concerning the implementation of standard of integrated section price of land expropriation in Acheng ” □Effective from 1 January 2009□
- ◆ “Notice of Jiamusi government concerning the promulgation of integrated section price of land expropriation” □People’s government of Jiamusi comprehensive [2008] No.18, effective from 1 January 2009□
- ◆ “Provisional Measures of the Haerbin municipality on pension security system and reemployment service for land-expropriated peasants” □Decree No. 179 of the People’s government of Haerbin, effective from 1 January 2009□
- ◆ “Provisional Measures of the Jiamusi municipality on Endowment Insurance for land-expropriated peasants” □No.□2009□16□Effective on September 10, 2009□
- ◆ Interim Measures on Urban House Demolition in Harbin (No. 155 issued by the People’s Government of Harbin, implement from April 15, 2007)
- ◆ “Notice on Printing and Distributing the “Price standard of resettlement of houses demolished and relocated”, “Assessment criteria of house condition”, “Compensation standard of houses and fixtures demolished and relocated in Acheng” (HaAZhengBanFa [2008] No.33, effective from 1 June 2008)
- ◆ “Regulations on compensation of houses demolished and relocated in urban town of Yilan county” (Effective from 20 March 2009)
- ◆ “Regulations on compensation of houses demolished and relocated in urban town of Bin county” (Effective from September 1 2010)
- ◆ Market Reference Price for Stocking Houses in Real Estate Market of Fangzheng Town of Fangzheng County (February 22, 2010)
- ◆ Standard for Urban Housing Demolition Evaluation in Jiamusi City in 2010 (January 26, 2010)
- ◆ Opinion on Supporting the Development of Harbin Scientific and Technical Innovation Town and Harbin South Industrial Development Town by the People’s

Government and the Municipal Party Committee of Harbin City (No. □2010□2, Effective on February 4 2010)

- ◆ Interim Measures on Encouraging the Investment and Business of High-tech Development Zone of Harbin City (Effective on May 1, 2010)
- ◆ Favorable Policies for Trade and Investment Promotion in Jiamusi Hi-Tech Industry Development Zone (implement from September 10, 2009)
- ◆ The World Bank Social Safeguard Policy OP/BP4.12-Involuntary Resettlement

#### 4.2.3. Relevant Legal Rules and Regulations

(1). *The Land Administration Law of the People's Republic of China* set regulations on the compensation to requisitioned lands in Article 47.

- ◆ For requisition of land, compensation shall be given in accordance with the original use of the requisitioned land. Compensation fee for the cultivated land requisitioned include land compensation fee, subsidy for resettlement as well as compensation fee for ground appendixes and young crops.
- ◆ Land compensation fee for the cultivated land requisitioned shall be six to ten times of the average annual output value in the three years prior to requisition. Subsidy for resettlement for the cultivated land requisitioned shall be calculated on the basis of the agricultural population that requires resettlement. The agricultural population that requires resettlement shall be calculated on the basis of the amount of cultivated land requisitioned divided by the average per capita occupancy of cultivated land of the unit requisitioned. The rate of subsidy for resettlement per head of the agricultural population that requires resettlement shall be four to six times of the average annual output value in the three years prior to requisition of the said cultivated land. However, the maximum subsidy for resettlement for cultivated land requisitioned per hectare shall not exceed fifteen times of the average annual output value in the three years prior to the requisition.
- ◆ The rate of land compensation fee and subsidy for resettlement for the requisition of other lands shall be fixed by the provinces, autonomous regions and municipalities directly under the Central Government, taking the rate of land compensation fee and subsidy for resettlement for the requisition of cultivated land as reference.
- ◆ Rate of compensation for ground appendixes and young crops on the requisitioned land shall be fixed by the provinces, autonomous regions and municipalities directly under the Central Government.

- ◆ For requisition of suburban vegetable plots of municipalities, the land use unit should, pursuant to relevant state provisions, pay to the new vegetable plot development and construction fund.
- ◆ Additional subsidy for resettlement may be provided for those peasants who require resettlement and cannot maintain their original living standards on the basis of land compensation fee and subsidy for resettlement the payment of which is effected pursuant to the provisions of this Article subject to the approval of people's governments of the provinces, autonomous regions and municipalities directly under the Central Government. However, the total of land compensation fee and subsidy for resettlement shall not exceed thirty times of the average annual output value in the three years prior to requisition of the land.
- ◆ The State Council may, in accordance with the level of socio-economic level, increase the rate of land compensation fee and subsidy for requisitioned farmlands.

- (2). To further enforce land administration, *the State Council of the People's Republic of China promulgated Decision on Intensive Reformation and Strict Land Administration* (No. 28). Article 12 on Improving Method of Compensation for Land Acquisition is to further improve requirements on compensation for land acquisition. Local governments of county levels and above are to take practical measures so that the living standards of villagers will not become lower because of land acquisition. To ensure compensation for land, subsidies for resettlement, compensation for auxiliaries and young crops are of the amount according to the law and be paid promptly. Compensation for land and subsidies for resettlement are to be paid according to the current legal regulations. In the case where the living standards of the villagers cannot be maintained the same or the compensations are not enough for the social security of the villagers who has lost their land due to land acquisition, the local governments of provinces, autonomous regions and municipalities are to approve the increment of subsidies of resettlement. When compensation for land and subsidies for resettlement are in the higher limit regulated by the law but still cannot maintain the living standard of the villagers affected by land acquisition, the local government can make use of the income from compensated use of state-owned lands to subsidize. Local governments of provinces, autonomous regions and municipalities are to formulate and publicize the standard of annual output value of acquisitioned land or the comprehensive price of land for the district. Compensation for land acquisition is to be the same of the same types of land. Key projects of the country must include full amounts of expenses for land acquisition in their budgets. The compensation standard and method of resettlement for construction of medium or big water conservancy and hydropower works are to be individually regulated by the State Council.
- ◆ Decision on Intensive Reformation and Strict Land Administration regulates the resettlement of villagers affected by land acquisition. It also regulates the procedures for land acquisition and the appropriate resettlement for the villagers affected by land acquisition. At the same time, the method of land acquisition must be negotiated with the affected parties to ensure the interest of the villagers. Article 13 regulates “appropriate resettlement of villagers affected by land acquisition”. Local governments of above county level are to formulate specific methods so that the livelihood of villagers affected by land acquisition can be guaranteed. For projects with stable profits, villagers can become a shareholder of the legally approved construction land-use right. Within urban planning districts, the local governments are to place villagers who lost land due to land acquisition into the employment system of the townships and establish a social security system; with the exception of urban planning districts, the local governments are to leave villagers necessary

cultivated within the administrative district or arrange an appropriate employment post when acquisition of collective land of the villagers; resettlement will be the choice for villagers with no land and without the basic production and living conditions. It also requires the "Labor and Social Security Department and other relevant departments to jointly establish employment training for villagers affected by land acquisition and provide opinionated guidance on the social security system. Article 14 regulates for a perfect land acquisition procedure. To safeguard the villagers' landholding rights of collective land and the interest of villagers with operation rights on contracted land. Before acquisition of land is submitted for approval, villagers must be informed of the reasons for land acquisition: its uses, locations, compensation standards and channels for resettlement; village collective economic organization and village households must confirm the results of survey on the current status of the land for acquisition; the Department of Land and Resources will organize hearings according to relevant regulations when necessary. Materials that are to be submitted for approval must be confirmed by the villagers affected by land acquisition. To hasten the establishment and improve the system for negotiation and arbitration of disputes with regards to compensation of land acquisition and resettlement to safeguard the legal rights of villagers affected by land acquisition. With the exception of special circumstances, approved items for land acquisition are to be publicized.

- ◆ The state government has formulated relevant laws, regulations and policies to strictly enforce the allocation of compensation funds. This is to ensure there will be no infringement of the rights of the villagers affected by land acquisition. Article 15 of Decision on Intensive Reformation and Strict Land Administration regulates: "enforce supervision of the implementation of land acquisition. Acquired land should not be used forcibly if compensation for land acquisition and resettlement are not realized. Local governments of provinces, autonomous regions and municipalities are to adhere to the principle of that land compensation is mainly for villagers affected by land acquisition, and formulate distribution methods within the economic organization of village collectives. Economic organizations of affected village collectives are to publicize payments and allocation conditions to members and accept their supervision. Agricultural and Civil Administration Departments are to enforce supervision of the allocation and use of compensation funds within the economic organizations of village collectives.
- ◆ According to Decision on Intensive Reformation and Strict Land Administration, the Department of Land and Resources formulated the

Concerning Guidance and Opinions on Improving the System for Compensation of Land Acquisition and Resettlement. This is to further refine relevant policies by the State Council on standards of land acquisition, channels of resettlement for villagers affected by land acquisition, procedures of land acquisition and supervision of land acquisition.

- (3). In order to implement the series of directives on land requisition mission assigned by the Party Central Committee and the State Council, *Notification of Improving Administration of Land Requisition Issued by Ministry of Land and Resources* was issued in June 2010.
- I) Overall implementation of the unified annual productivity standard for land requisition and the comprehensive land price of the requisitioned district. For a newly approved construction project, a strict control for the pre-evaluation is necessary to ensure that the land requisition compensation of this project is calculated as per the unified annual productivity standard for land requisition and the comprehensive land price of the requisitioned district in effect and the budgetary estimate covers the full value. All governments shall establish the dynamic adjusting system for the land requisition compensation standards and adjust these standards every two or three years according to the economic development level and the local income increase rate per capita to improve the land requisition compensation level step by step.
  - II) Research and improvement of land requisition compensation prepayment system. In order to prevent the delay of payment and to ensure the timely payment of the full value of the compensation, all governments shall research and improve the land requisition compensation prepayment system.
  - III) Reasonable distribution of land requisition compensation. After approval for land requisition and during implementation, the Municipal Land and Resources Bureaus shall pay the full value of the compensation in time according to the defined land requisition compensation solution. The compensation due shall be paid directly to the farmer in person to avoid and correct the interception and the peculation of the land requisition compensation.
  - IV) Agricultural resettlement in priority. All the regions shall consider the local reality and take various effective measures for land requisition and resettlement accordingly. In the rural areas where the land reclamation helps to increase the arable land and where there is more flexible land reserved by rural collective economic organization, the agricultural resettlement mode shall be adopted in priority during land requisition,

assigning the newly increased land or flexible land to the requisitioned farmers to let them own a certain area of arable land to maintain the basic production conditions and income sources.

- V) Pushing the implementation of social security fund of the requisitioned farmers. By respecting the principle of “Who uses land takes the responsibility”, all the regions shall be encouraged to find more channels for social security fund together with the compensation and resettlement. The requisitioned farmers included into the new pension insurance system shall still be covered by the social security. It is not allowed to replace the social security by the new rural pension insurance.
- VI) Practical implementation of the demolition, compensation and resettlement caused by the land requisition. The related laws, regulations, policies and procedures shall be executed strictly to respect the principle of “resettlement before demolition” and firmly stop and correct the illegal and enforced demolition actions.
- VII) Reasonable compensation and resettlement for housing demolition. During the land requisition, the farmers who are facing housing demolition shall be compensated reasonably and resettled in diversified modes according to the local reality. In the outer suburbs and rural areas, the relocation is a main mode of resettlement, which means giving a new land for building a house. The compensation for demolition shall consider both the removed house and the house building land requisitioned. The housing demolition shall be compensated according to the building replacement cost, while the requisition of house building land shall be compensated as per the local land requisition compensation standards in effect. In the joint area between city and countryside and in the village within city, in principle, no land shall be reassigned for building new house, in stead, money or physical compensation shall be adopted. The farmers facing demolition can select the houses by themselves or accept the houses provided by the government. The sum of the demolition compensation and the government’s allowance shall guarantee that the farmers can select a house of a reasonable living level.
- VIII) Overall planning for the land requisition and demolition. In the joint area between city and countryside and in the village within city, the local government shall reasonably forecast the farmers’ housing demolition and resettlement scale affected by the land requisition during a certain period, make overall planning, arrange in advance the lands and houses for resettlement and organize the demolition in order. The houses for resettlement shall be in accordance with the city development planning

to avoid repeated demolition. In the outer suburbs and rural areas, the land for resettlement by relocation shall be arranged within the construction land of the village and the town, using free land and free house building land in priority. For the villages included in the demolition and consolidation scope, the resettlement by relocation shall be concentrated to the planned residential areas. Where the conditions permit, the houses for resettlement shall be arranged with overall consideration according to the new village or central village construction planning.

- IX) Serious implementation of notification, confirmation and hearing before submission for approval. The land requisition work is related to the vital interests of the farmers. The rights of the farmers to be informed, to participate, to appeal and to supervise shall be ensured during the land requisition. The Municipal Land and Resources Bureaus shall strictly respect the related stipulations and procedures and fully hear the opinions of the farmers before submitting the program for approval. The notification of land requisition shall be distributed to each village and each farmer household, by various means of broadcast, village affair bulletin board and other visible notification. If the farmers have objections or require a public hearing, the local Land and Resources Bureaus shall organize the hearing in time to hear the farmers' opinions. The reasonable requirements of the general public shall be satisfied properly.
- X) Reinforcement of the responsibility of municipal governments as a main player to implement the land requisition. As per the laws, the municipal governments are the main player to organize and implement the land requisition. It takes the full responsibility for defining the land requisition compensation standards, demolition compensation and resettlement, timely and full payment of compensation, organization of professional training for the requisitioned farmers, including the requisitioned farmers into social security system. Land and Resources Bureaus shall fulfill seriously their responsibilities to ensure that the land requisition work is executed legally and orderly.
- XI) Implementation of feedback system after approval Within 6 months after the land for construction is approved for use (for the urban construction land approved by the State Council, it is after the approval by provincial government of the implementation program of transforming agricultural land and of land requisition), the Municipal Land and Resources Bureaus shall report the implementation results to the Provincial Land and

Resources Bureaus and the Ministry of Land and Resources through online reporting system, including land requisition scope and size, land requisition executing procedures, payment of land requisition compensation, resettlement and social security of the requisitioned farmers, etc. The Provincial Land and Resources Bureaus shall supervise and instruct the reporting work of the municipalities, verify the reported information, correct in time the problems of non-reporting, late reporting and wrong reporting. The Land and Resources Bureaus shall fully use the reported information, timely master and analyze the results of land requisition, reinforce the supervision and management of the use of land after approval to ensure that the land requisition is implemented as per the requirement of approval.

- XII) The implementation method and subsidy standard of the provincial level shall apply to the national Land Administration Law. Heilongjiang Province formulated the land administration provision according to the Land Administration Law of the People's Republic of China, which set detailed implementation methods for land requisition, subsidy and resettlement.

(4). *Heilongjiang Province Land Management Regulations*

Article 27: Compensation for land acquisition is paid according to the following standards:

- A. compensation for arable land is 6 to 10 times its average annual output value in the 3 years prior to the land acquisition. If the average annual output value is hard to measure, municipal and county governments could work out detailed compensation standards for dry land, paddy field and vegetable plot according to their reasonable output value. These standards could be applied into practical measurement after the approval of provincial governments' land management departments;
- B. Compensation for construction land, such as homestead and factory building, is four times its average annual output value in the 3 years prior to the land acquisition.
- C. As to arable land cultivated less than three years, the acquisition compensation is twice the output value in the previous year. Besides, the investment on cultivation will also be compensated;
- D. As to unused land and land uncultivated for four to ten consecutive years, the compensation is twice the annual output value of dry land;

- E. Compensation for fish pond is 3 times its average annual output value in the 3 years prior to the land acquisition.
- F. Compensation for garden, grassland and reed land is 6 times the local average annual output value;
- G. For forest land requisition, compensation conforms to state standards.

Article 28: Resettlement subsidy is paid according to the following standards:

- A. For arable land, resettlement subsidy is 4 to 6 times the average annual output value in the 3 year prior to the acquisition. The measurement of average annual output value complies with Subparagraph 1 of Paragraph 1 in Article 27.
- B. For yard and fish pond, the subsidy is 3 times the average annual output value in the 3 year prior to the acquisition.
- C. For construction land (such as homestead and factory building), barren hills, wasteland, grassland, reed land, unused land, land uncultivated for 4 to 10 consecutive years, and land cultivated for less than 3 years, there is no resettlement subsidy; □
- D. For forest land resettlement, the subsidy conforms to state standards.

Article 29: Compensation should be paid for young crops on the expropriated land. It is equal to the seasonal output value of the crop.

- A. Compensation should be paid for ground attachments like buildings and other fixtures on the expropriated land. The compensation is in accordance with the standards either regulated by state and provincial authorities or agreed by both sides of the contract. If there is neither regulated nor agreed standard, the municipal and county governments will estimate the loss according to reality.
- B. Crops, trees, buildings and other facilities planted or constructed on the requisitioned land by any individual or collective during the period between notification and land acquisition will not be compensated.

Article 30: Construction projects approved to have the lawful right to use state-owned agricultural land shall refer to standards of land acquisition and compensation and pay the compensation, resettlement subsidies.

- A. For construction projects approved to have the lawful right to use the land of other units or individuals, the construction unit shall refer to the basic prices of urban land and compensates the land use right holders appropriately.
- B. Construction projects approved by the law to use the unused state-owned land do not need to pay the compensation as well as resettlement subsidies.
- C. For Villages that need to use collective land to set up public facilities, utilities and other public services, the land use right holders shall get resettlement subsidies, and holders that meet relevant prescription shall be employed in village enterprises, or the problem shall be solved by adjusting the land appropriately.

(5). *Implementation Procedures of Comprehensive Land Price of District for Land Requisition of Heilongjiang Province*

Article 2 The Procedures are applicable to the compensation and resettlement for the requisition of rural collectively owned land within the administrative territory of Heilongjiang Province.

Article 3 The compensation standards for land requisition within the administrative territory of Heilongjiang Province shall respect the comprehensive land price of the requisitioned district of the administrative district where the land is requisitioned. The comprehensive land price of the district indicated in the Procedures consists of the compensation standards used directly for the land requisition which are calculated on the basis of districts divided according to the various factors such as land category, output, position of land, grade of rural land, local farmland quantity per capita, land supply and demand relationship, economic development level and the minimum living standard allowance, etc. The compensation standards for attachments over ground and young crops are not included. In principle, the requisitioned districts are divided into the basic unit of administrative village and the boundary of the district shall be in accordance with the administrative border of the village.

Article 7 Of the compensation for land requisition determined according to the comprehensive land price of the requisitioned district, after paying the social security fees by collective economic organizations and individuals, 70% shall be used for resettling the allowance for the requisitioned farmers, 30% shall be used for constructing infrastructure and public utilities, establishing village-run enterprises and paying the living allowances of the requisitioned farmers by the collective economic organization who holds the collective land ownership. If the compensation is not enough for paying the social security fees of the requisitioned farmers, the local government shall make the overall arrangement of the revenue from remise of the use right of state-owned land to ensure that the problems of the farmers such as employment, housing and social security could be solved properly. The requisitioned farmers mentioned in the Procedures consist of the agricultural population who has the right to contracted management of the rural collective land which is requisitioned.

Article 9 If there are young crops or attachments over the requisitioned land, the owner of the young crops and attachments over ground shall be compensated. The young crops can be compensated by between 4% and 6% of the comprehensive land price of the requisitioned district.

The attachments over ground shall be compensated by housing resettlement as per the demolition procedures defined by the local government, or as per the detailed stipulations of the municipal and district governments.

Article 10 For the temporary use of the farmers' collectively owned land or state-owned land for construction projects and geological exploration for one year, the owner of the land shall be compensated by 10% of the comprehensive land price of the requisitioned district, and compensated by 20% for two years.

Article 13 The public security department shall timely register the urban household to the requisitioned farmers who need to transform the agricultural household to urban household.

Article 14 The civil affairs department shall improve the minimum living standard security system, timely including the requisitioned farmers compliant with the urban and rural minimum living standard security conditions into the social security scope.

Article 15 The labor security department shall timely proceed the endowment insurance formalities for the requisitioned farmers in the list of social security insurants provided by the collective economic organization. A unified urban and rural employment service system shall be established to extend the employment and re-employment preferential policy and the employment assistance policy to the requisitioned farmers.

Article 18 The financial departments shall distribute the land requisition compensation, the compensation for the attachments over ground and young crops to the accounts of social security, individuals and rural collective economic organizations. For the compensation to be paid to the farmers, the collective economic organization shall provide the name list and the compensation and resettlement shall be registered. The compensation shall be paid to the requisitioned farmers by means of the registered bank card or common deposit book to reduce the intermediate steps, to prevent interception and unauthorized diversion and to actually guarantee the legal rights of the requisitioned farmers.

Article 20 All levels of governments shall actively create the conditions, providing free training of professional skills to the requisitioned farmers according to their needs and help the employment of the requisitioned farmers by the land users. The land users shall try their best to create certain positions for the requisitioned farmers and the first term of labor contract shall be not less than 3 years.

Article 26 All municipal and district governments shall establish and improve the land requisition organization, improve the management and the land requisition working system, build an incorruptible and industrious working team for land requisition and complete the compensation and resettlement of the requisitioned farmers.

(6). *Tentative Procedures of Harbin Municipality for Endowment Insurance and Employment Service of Farmers Requisitioned of Their Lands*

Article 2 The Procedures are applicable to the endowment insurance and employment service of the requisitioned farmers within the urban districts of Harbin.

Article 4 At the moment of land requisition, the requisitioned farmers whose household has not been transformed to non-agricultural household (hereinafter referred to as agricultural requisitioned

farmers) shall participate in the endowment insurance for agricultural requisitioned farmers as per the Procedures; those whose household has been transformed to non-agricultural household (hereinafter referred to as non-agricultural requisitioned farmers) shall be included into the scope of urban basic endowment insurance. The requisitioned farmers are included into the unified urban employment service system.

Article 7 The agricultural requisitioned farmers participating in the endowment insurance are divided into two categories based on their ages:

- A. Males reaching 16 years and younger than 60 years and females reaching 16 years and younger than 55 years are agricultural requisitioned insurants.
- B. Males reaching 60 years and females reaching 55 years are agricultural requisitioned pensioners.

The above-mentioned ages are calculated from the date of the legal approval of the land requisition.

Article 10 The endowment insurance funds for agricultural requisitioned farmers are raised through the following channels:

- A. Land compensation and resettlement allowance from the requisition of land;
- B. Subsidy for the agricultural requisitioned insurants and pensioners provided by the village collectives;
- C. Subsidy for the agricultural requisitioned insurants and pensioners assigned by the government from the land remise revenues;
- D. Other funds.

Article 8 For those whose lands are requisitioned after the implementation of the Procedures, the individual payment and the subsidy from village collectives represent respectively 40% of the total endowment insurance premium, while the government subsidy represents 20%, in which, municipal government and district government assume 10% respectively (If the land remise revenues are not reserved to the requisitioned district at the stipulated proportion, the municipal government shall assume all the 20%).

Article 17 The agricultural requisitioned farmers can chose from the following endowment insurance premium standards:

- A. on the basis of the urban residents' monthly minimum living standard security of Harbin at the moment of land requisition, at a proportion of 110%, pay the premium of 10 years at one time;
- B. on the basis of the urban residents' monthly minimum living standard security of Harbin at the moment of land requisition, at a proportion of 130%, pay the premium of 10 years at one time;

The endowment insurance premium standards for agricultural requisitioned farmers shall timely adjusted by the municipal labor security administration according to the evolution of the urban residents' monthly minimum living security standard.

Article 19 The agricultural requisitioned insurants who have duly paid the endowment insurance premium in full value can draw the pension from the second month of reaching the specified age (male 60 years old, female 55 years old).The agricultural requisitioned pensioners who have duly paid the endowment insurance premium in full value can draw the pension from the second month of paying premium.

Article 34 The non-agricultural requisitioned farmers unemployed in legal working age can make application for unemployment registration with the labor security institution of the community. After the examination of the labor security institution of the sub-district or the town and reviewed by the labor security administration of the district, a Harbin Employment (Unemployment) Register Card will be issued to them, with which they can enjoy the employment assistance policies such as guaranteed small loan, professional training allowance and free job proposals.

(7). *Regulations on Endowment Insurance for Land Requisitioned Farmers in Jiamusi*

Article 3 The requisitioned farmers indicated in the Procedures consist of the population not younger than 16 years old with agricultural household residing in the urban districts of Harbin during the land requisition, owning the right of contractual land management and whose land is, in whole or in major part, legally approved to be requisitioned.

Article 6 The agricultural requisitioned farmers participating in the endowment insurance are divided into two categories based on their ages:

- A. Males reaching 16 years and younger than 60 years and females reaching 16 years and younger than 55 years are agricultural requisitioned insurants.
- B. Males reaching 60 years and females reaching 55 years are agricultural requisitioned pensioners.

The above-mentioned ages are calculated from the date of the legal approval of the land requisition.

Article 7 The endowment insurance funds for agricultural requisitioned farmers are raised through the following channels:

- A. Land compensation and resettlement allowance from the requisition of land;
- B. Subsidy for the agricultural requisitioned insurants and pensioners provided by the village collectives;
- C. Subsidy for the agricultural requisitioned insurants and pensioners assigned by the government from the land remise revenues;

Article 8: The endowment insurance shall be paid with a proportion of 1/3 separately and equally by requisitioned farmers, villages and governments.

Article 17 The agricultural requisitioned farmers shall follow the urban residents' monthly minimum living standard security of Harbin at the moment of land requisition, at a proportion of 130%, pay the premium of 10 years at one time. The endowment insurance premium standards for agricultural requisitioned farmers shall timely adjusted by the municipal labor security

administration according to the evolution of the urban residents' monthly minimum living security standard.

Article 19: The agricultural requisitioned insurants who have duly paid the endowment insurance premium in full value can draw the pension from the second month of reaching the specified age (male 60 years old, female 55 years old). The agricultural requisitioned pensioners who have duly paid the endowment insurance premium in full value can draw the pension from the second month of paying premium.

- (8). The main contents of *the Regulations on Administration of the Housing Demolition and Relocation in Cities*
- A. The party carrying out the demolition must make compensations to evictees
  - B. The party carrying out the demolition and evictees shall sign agreements on compensation and resettlement
  - C. Demolition compensation can take the form of either property transfer or monetary compensation
  - D. The party carrying out demolition shall provide resettlement for evictees, or make enough monetary compensations for them for resettlement
  - E. The users of to-be-demolished houses shall be subsidized for movement due to demolitions
  - F. In the period of transition, if users of demolished houses arrange their lodging by themselves, the party carrying out demolitions shall provide a temporary subsidy for them. But if the party carrying out demolitions provide temporary houses for users of demolished houses, no subsidies shall be paid.

- (9). *Interim Regulations on the Demolition and Removal of Urban Houses in Harbin Municipality*

Article 6 Supervision and management of urban housing demolitions in the city shall be carried out by the municipal agency of urban housing demolition management. Management of residential demolition within administrative areas at the district level

shall be carried out by the demolition management department of the local district government. Management of residential demolition within administrative areas at the county (municipal) level shall be carried out by the demolition management department of the local county government.

Article 20 Monies to be applied to compensating evictees shall only be applied for this purpose and no other. County and municipality level Demolition Management Departments shall increase the strength of their monitoring of the payment of compensation to evictees.

Article 26 Compensation can be monetary or in the form of housing property rights. □ With the exception of the situations contained in Article 30, the evictee shall be entitled to choose the method of compensation.

□

Article 28 Monetary compensation shall be decided in accordance with the market value according to the building's location, usage, size and other factors as determined by a valuer. However, if the parties have already made an agreement, such provision prevails.

Article 29 Compensation in the form of the transfer of residential property rights shall be valued on the basis of the provisions of Article 28 and any difference between the value of the demolished and the transferred house shall be valued. However, if the parties agree otherwise in the contract, such provision prevails. If the requirements on compensation in the form of the transfer of residential property rights can be met according to the approved construction engineering plan, the evictees can choose compensation in the form of the transfer of residential property rights within the range of demolition.

Article 33 The compensation to demolition shall implement a minimum standard of housing. For the evictees or housing tenant enjoying monetary compensation according to the Item 3 of Article 35, if their per capita construction area is lower than the city average and the monetary compensation lower than the regulated compensation standards for households with housing problems, the compensation standard for households with housing problems shall apply to them. Evictees or public-owned residence tenants who hold certificate of subsistence allowances, and in particular those with handicapped placard, shall be well attended.

Article 40 production or business is suspended due to house demolition, the person carrying out demolition shall reimburse six-month's monetary compensations to evictees or tenants, based on the the average monthly taxable income in the past year and the number of staff decided by labour insurance funds, as well as the monthly average salary of the local city or county. For those evictees or tenants in the form of transfer of property rights, loss compensation shall be made monthly in the transition period.

Article 41 The valuation of houses to be demolished or transferred in terms of property rights, shall be conducted by a demolition valuation agency with required certificate on real estate valuation. For those demolished houses which require additional valuation, it shall be conducted according to relevant regulations.

Article 47 valuation of demolished houses shall not include compensations for relocation, temporary relocation and losses, as well as reimbursements to decorations within demolished houses which conducted by evictees or tenants.

Within the framework of the above laws, regulations and policies, the Ministry of Railway and Heilongjiang Province will sign a cooperation memorandum to discuss the basic principle and methods of land requisition, resettlement and compensations, which shall be implemented by local governments.

## Chapter 5 Compensation Standards and Compensation Budget

### 5.1. Compensation Standards

#### 5.1.1. The compensation standards for land acquisition

##### 5.1.1.1. Compensation standards for permanent land acquisition

The compensation of land acquisition in Heilongjiang Province is paid according to Hei-Zheng-Fa (2008) the 101st document, that is, "People's Government of Heilongjiang Province: on Overall Land Acquisition Price in Heilongjiang Province".

Based on the document mentioned above, the land acquisition compensation fee, after the compensated's social security fee being deducted, will have 70% to the resettled farmers and 30% to the collective economic organizations whom the collective land belongs to. The collectively owned compensation fee will be used to install public facilities, establish village enterprises and subsidize the resettled farmers.

Compensation for land acquisition, or land compensation fee, is calculated on the basis of the approved land prices and relevant land areas.

The number of resettled people is equal to: the area of the expropriated arable land divided by the per capita area of arable land before land acquisition.

Compensation should be paid for young crops or other attachments.

Young crops are compensated at 4% of overall land acquisition price.

Ground attachments should be compensated in accordance with the standards of the local governments, or the regulations of the municipal (prefecture) government (administrative office).

Arable land acquisition is taxed in accordance with the Hei-Zheng-Fa (2008) the 88th document, that is, "People's Government of Heilongjiang Province: on Arable Land Acquisition Taxation in Heilongjiang Province". The arable land occupation of railway lines, road lines, airport runways, parking aprons, ports, waterways is taxed at 2 yuan per square meter. But, the cupated lands of some approved railways are free from taxation according to the document. They are: roadbed, bridges, culverts, and tunnels of the approved railways, as well as the reserved land at both sides. The land occupation of other railways is not tax-free and will be taxed according to the local taxation standards.

The land management fee is charged according to the Jia-Fei-Zi [1992] the 597th document, that is, "the State Price Bureau, the Ministry of Finance: on Land Management Fee and its Charging Standards". The land management fee is charged according to the following standard: the management fee is less than 3% if over 1000 mu of arable land or over 2000 mu of other land is expropriated at a time; the management fee is less than 4% if less than 1000 mu of arable land or less than 2000 mu of other land is expropriated at a time.

The arable land reclamation fee is charged according to the Hei-Tu-Zi-Fa [2001] the 111th document, namely, the "Heilongjiang Provincial Department of Land and Resources, Provincial Department of Finance: on the Charge and Use of Land Reclamation Fee in Heilongjiang Province". Based on field investigation, the current land reclamation fee in Heilongjiang Province is 2.5 yuan / m<sup>2</sup>.

Table5-1 Standards for Land Acquisition of Harbin-Jiamusi Railway Passenger Dedicated Line

No.	Project	Adminis- trative Division	block	Village	Block price	Overall Block price (yuan/ mu)	Young Crop Compensation (yuan/ mu)	Compen- sation Paid to farmers (yuan/ mu)	Land Recla- mation Fee (yuan/ mu)	Mana- gement Fee (yuan/ mu)	Land Occupatio fee (yuan/ mu)
					(yuan /m2)						
1	Har- bin hub	Harbin hub	State- Owned land	price	206	137196	5488	142684	1665	4330	1332
2	Dis- trict	Daowai distric	Tuan- Jie 2	Shu-Guang And Qian-Jin Vil-lage	91	60606	2424	63030	1665	1941	1332
			Tuan- Jie 5	Lian- Sheng,Feng- Guo, Chang- sheng,Heng- xingvil-lage	68	45288	1812	47100	1665	1463	1332

			Tuan-Jie 6	Hong-Li, Shi-Ren, Dong-Xin, Don-Feng, Heng-Xing, Tuan-Jie, Chang-shen, Qin-Lao Village	52	34632	1385	36017	1665	1130	1332
		A' Cheng district	District III	A'Cheng District, A'shiHe Street, FeikeTu town, Liao-Mian Town, Yang-Shu Town, etc	28	18648	746	19394	1665	632	1332
		Bin-Xian district	District II	Bin-Zhou, Bin-Xi, Ju-Ren Town	21	13986	559	14545	1665	486	1332
			District III	Bin-Zhou, Bin' An, Sheng_li, Chang'an, Baidu, Jin-Jian Town	20	13320	533	13853	1665	466	1332

			Dis- trict III	Song-Nan, Hui-fa, Tian-Men, De-Shan Town	25	16650	666	17316	1665	569	1332
		Fang- Zheng county	Dis- trict II	Jian-Guo And Baming Vil-lage in Fang-Zheng Town	30	19980	799	20779	1665	673	1332
			Dis- trict IV、 V、 VI	Yihan-tong, Bao-Xing, Dami-Luo Town	22	14652	586	15238	1665	507	1332
		Yilan County	Dis- trict II,III	Yilan Town And Da-Lianhe Town	30	19980	799	20779	1665	673	1332
		Towns In Jia- musi	ZMS-41	Dalai Town	27	17982	719	18701	1665	611	1332
			ZMS-40	Aoqi Town	27	17982	719	18701	1665	611	1332

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			ZMS-32	Xigemu Town (Xige- mu, Dong-Gemu, Ka0 Shan Village	53	35298	1412	36710	1665	1151	1332
3	Jia- Musi hub	Jia- Musi hub	State- Owned land	price	251	167166	6687	173853	1665	5266	1332

### 5.1.1.2. Compensation Standards for Temporary Land Acquisition

In the construction process, some land will be temporarily borrowed and used as roads, construction material piling grounds, sheds' sites, and construction sites. In the large-scale infrastructure projects, land borrowing period is generally 3-4 years. Land owners or users (both collective and individual) will be compensated. If the borrowed land is arable, then compensation will be paid yearly according to the annual agricultural output. If the land is barren, compensation will be paid at one time to the village collective. Upon completion of the project, the land will be restored and returned the owner. If not, equivalent compensation should be paid. According to Hei-zheng-Fa [2008] the 101st document, if the land is borrowed for 1 year, then the borrowing fee is equal to 10% of the overall land acquisition fee; if the land is borrowed for 2 years, 20 % of the overall land acquisition fee should be paid. According to Hei-Tu [1991] the 81st document, or the document called "On the Standards of Land Reclamation fee in Heilongjiang Province", land used by the construction units should be restored and reclaimed. The land reclamation fee is 5.4 yuan / m<sup>2</sup>. Details are in Table 5-2.

Table 5-2 Compensation Standards for Temporary Land Acquisition

No.	Project	Administrative Division	block	Village	Land Borrowed for 1 year (yuan/mu)	Land Borrowed for 2 years (yuan/mu)	Land Borrowed for 3 years (yuan/mu)	Land Borrowed for 4 years (yuan/mu)	Reclamation fee (yuan/mu)
1	Harbin hub	Harbin hub	State-Owned land	price	13720	27439	41159	54878	3602
2	District	Daowai district	Tuan-Jie 2	Shu-Guang And Qian-Jin Village	6061	12121	18182	24242	3602
			Tuan-Jie 5	Lian-Sheng, Feng-Guo, Changsheng, Hengxing village	4529	9058	13586	18115	3602

			Tuan-Jie 6	Hong-Li, Shi-Ren, Dong-Xin, Don-Feng, Heng-Xing, Tuan-Jie, Chang-shen, Qin-Lao Village	3463	6926	10390	13853	3602
		A' Cheng district	District III	A' Cheng District, A'shiHe Street, FeikeTu town, Liao-Mian Town, Yang-Shu Town, etc	1865	3730	5594	7459	3602
		Bin-Xian district	District II	Bin-Zhou, Bin-Xi, Ju-Ren Town	1399	2797	4196	5594	3602

			Dis- trictIII	Bin-Zhou, Bin' An, Sheng_li, Chang'an, Baidu, Jin-Jian Town	1332	2664	3996	5328	3602
	Fang- Zheng county		Dis- trictIII	Song-Nan, Hui-fa, Tian-Men, De-Shan Town	1665	3330	4995	6660	3602
			Dis- trict II	Jian- Guo And Baming Vil-lage in Fang-Zheng Town	1998	3996	5994	7992	3602
			Dis- trictIV、 V、 VI	Yihan-tong, Bao-Xing, Dami-Luo Town	1465	2930	4396	5861	3602

		Yilan County	Dis-trict II,III	Yilan Town And Da-Lianhe Town	1998	3996	5994	7992	3602
		Towns In Jia-musi	ZMS-41	Dalai Town	1798	3596	5395	7193	3602
			ZMS-40	Aoqi Town	1798	3596	5395	7193	3602
			ZMS-32	Xigemu Town (Xige-mu, Dong-Gemu, Ka0 Shan Village	3530	7060	10589	14119	3602
3	Jia-Musi hub	Jia-Musi hub	State-Owned land	price	16717	33433	50150	66866	3602

Resource from: field investigation and documents

### 5.1.1.3. Compensation for Young Crops

Compensation fee for young crops should be 4% of the overall land acquisition compensation. Details are in Table 5-3.

**Table 5-3 Compensation Standards for Young Crops**

No	Project	Administrative Division	block	Village	Young crops compensation ( yuan/ mu)
1	Harbin hub	Harbin hub	State-Owned land	price	5488
2	District	Daowai distric	Tuan-Jie 2	ShuGuang And QianJin Village	2424
			Tuan-Jie 5	LianSheng,FengGuo, Changsheng,Hengxing village	1812
			Tuan-Jie 6	HongLi, ShiRen, DongXin, DonFeng, HengXing, TuanJie, Changshen, QinLao Village	1385
		A' Cheng district	Dis-trictIII	A'Cheng District, A'shiHe Street,FeikeTu town, LiaoMian Town, YangShu Town, etc	746
		Bin-Xian district	Dis-trict II	BinZhou, BinXi, JuRen Town	559

			Dis- trictIII	BinZhou, Bin'An, Shengli, Chang'an, Baidu, JinJian Town	533
		Fang- Zheng county	Dis- trictIII	SongNan, Huifa, TianMen, DeShan Town	666
	Dis- trict II		JianGuo And Baming Village in FangZheng Town	799	
	Dis- trictIV 、 V、 VI		Yihantong, BaoXing, DamiLuo Town	586	
	Yilan County		Dis- trict II, III	Yilan Town And DaLianhe Town	799
	Towns In Jiamusi		ZMS-41	Dalai Town	719
		ZMS-40	Aoqi Town	719	
		ZMS-32	Xigemu Town (Xigemu, DongGemu, KaoShan Village	1412	
3	JiaMusi hub	JiaMusi hub	State- Owned land	price	6687

Resource from: field investigation and documents

## 5.1.2. Compensation Standards for House Demolition and Ground Attachments

### 5.1.2.1. Compensation standards for house demolition

According to current land management law and house demolition-related policies, compensation for buildings and their appurtenances will be paid directly to the affected asset owners. The compensation fee for demolition will be used at the same time as the resettlement fee. According to the survey, the amount of compensation for house and the related appurtenance is made through professional measurement or mutual consultation. The general procedure is: both sides take local housing price into consideration and make thorough consultation on the compensation fee; after the compensation fee is fixed, both sides sign a contract; if consultation fails, a third consultative agency will be introduced to make a professional measurement. At the design stage, assessment of the compensation is impossible to make. Therefore, we should either refer to the compensation fees of nearby places or to the average compensation prices published by the Government.

As to the compensation fee of demolished houses in the urban areas, Harbin will refer to the results of other smaller cities and counties; Binxian County resorts to Bin-Fang-Lian-Fa [2010] the 01st document, namely, "On the Demolition Compensation of the Urban Residences in Binxian County", and houses in its 4 regions will be considered as 60% new; Fangzheng County refers to Fang-Jian-Lian-Fa [2010] the 1st document, namely, "On Real Estate Price in Fangzheng Town, Fangzheng County", and houses in its 4 regions will be taken as 60% new; Yilan County resorts to Yi-Fang-Lian-Fa [2009] the 01st document, that is, "On the Demolition Compensation of Urban Residences in Yilan County", and houses in its 3 regions will be looked as 60% new; Jiamusi City refers to its real estate prices in 4 different regions. Details are in Table 5-4.

Table 5-4 Demolition Compensation along the Line

Number	Region	Project	price (yuan/m <sup>2</sup> )
1	Harbin City	Brick-Concrete House Demolition	3,900
		mud-wood House Demolition	2,950
		slum Demolition	1,970
		Brick-Concrete House Demolition	4,400
		Urban House Demolition	4,400
2	Binxian County	Brick-wood House Demolition	1,300
		Mud-wood House Demolition	1,100
		Slum Demolition	825
		Brick-Concrete House Demolition	1,475
		Urban House Demolition	1,475
3	Fangzheng County	Brick-wood House Demolition	840
		Mud-wood House Demolition	477
		Slum Demolition	365
		Brick-Concrete House Demolition	920
4	Yilan County	Brick-wood House Demolition	950
		Mud-wood House Demolition	850
		Slum Demolition	740
		Brick-Concrete House Demolition	1,050
		Urban House Demolition	1,050
5	Jiamusi City	Brick-wood House Demolition	1,700
		Mud-wood House Demolition	1,385
		Slum Demolition	1,300
		Brick-Concrete House Demolition	2850
		Urban House Demolition	2850

### 5.1.2.2. Compensation for Housing Appendages

Compensation for ground attachments is in accordance with Ha-A-zheng-Fa [2008] the 33rd document, namely, "On Housing Replacement Price in A'cheng District ", " On Housing Condition Evaluation Standards "and "On Compensation for Housing Appendages in A'cheng District ". Compensation standards for scattered trees are in table 5.1.2.3

Besides forests, the project will also have impact on scattered trees. The compensation for forests and trees are in accordance with Hei-Lin-Lian-Fa [2007] the 186th document, "On Regulating the Compensation Standards for forest land and Interim Measures for Forest Land Compensation in Jiamusi City." Details are in Table 5-5.

Table 5-5 Compensation Standards for Ground Attachments

Number	Project	Unit	Price (yuan)	Detail
1	Brick wall	m	100	Brick wall over 24cm thick and 1.8m high
2	Storage	□	70	Waill over 37cm thick
3	Pigpen and chicken coop	□	30	Brick-wood
4	Vegetable cellar	per	800	Brick
5	Iron door	□	200	
6	Isolated Washroom	per	200	Brick
7	Infiltration Well	per	600	Brick, diameter over 1.2 m, depth over 1.5 m
8	Hand-pumped well	per	500	
9	Electric Motor well	per	1000	Diameter within 2 inches
10	Motor-pumped well	per	35000	Diameter over 300mm,depth within 60m
11	Fruit tree	per	50	fruiting
12	Fruit tree	per	20	Not fruiting
13	Cherry tree	per	15	
14	Other tree	per	20	Diameter between 0-20cm□20cm excluded□
		per	50	Diameter between 20-40cm (40 excluded)
		per	100	Diameter over 60cm
15	Greenhouse	□	90	Brick-wood
16	Greenhouse	□	20	Steel
17	Hand-pumped well	per	1200	With water-pump
		per	1500	Without water-pump

### 5.1.3. Compensation for Infrastructure and Special Facilities

The project will affect some infrastructures like roads and public works. Owners should demand the construction units protect these infrastructures with temporary facilities or restore them upon completion if protection fails. The restoration costs will be included in the construction contract. Details are in Table 5-6.

Table 5-6 Compensation standards for Infrastructure and Special Facilities

Number	Project	Unit	Price (yuan)	Detail
1	10KV high-tension line diversion	km	80000	Electricity or telecommunications line
2	35KV high-tension line diversion	km	800000	
3	110KV double-track high-tension line diversion	km	1500000	
4	220KV double-track high-tension line diversion	km	2000000	
5	500KV high-tension line diversion	km	2950000	
6	low-tension line diversion	km	50000	
7	10KV cable diversion	km	180000	
8	35KV cable diversion	km	1200000	
9	Underground-electric-cable diversion	km	150000	
10	Underground-optical-cable diversion	km	120000	
11	Aerial communications electric-cable	km	80000	
12	Aerial communications optical-cable	km	80000	
13	Mud-road diversion	km	100000	Road or road surface
14	Sand-stone road diversion	km	150000	
15	Asphalt and concrete road diversion	□	200	
16	Underground plastic water pipe $\phi$ 0.1m diversion	km	300000	
17	heating pipeline $\phi$ 0.15m diversion	km	450000	
18	Heating pipe (iron) $\phi$ 50mm diversion	km	270000	
19	Oil pipelines $\phi$ 0.377m diversion	km	3510000	
20	Gas pipeline diversion	km	1460000	
21	Sewage pipe diversion	km	1000000	
22	Tap-water pipe diversion	km	300000	
23	Irrigation water pipe diversion	km	200000	

## 5.2. Estimated Resettlement Compensation

Resettlement compensation includes the following:

- I) relocation compensation (including compensation for land requisition, compensation for young crops and scattered trees, compensation for housing and attachment, relocatees transition cost and the removal cost, rural contemporary settlements construction cost, relocation subsidies for vulnerable groups, removal cost for enterprises and institutions□, compensation for commercial losses, etc.);

II) Infrastructure restoration fee: included in the project cost instead of in the total migration cost. The cost for the “3 accesses and 1 leveling” (access to water, electricity and road; leveling ground) is included in the demolition compensation and is not accounted separately;

III) Temporary land acquisition compensation

IV) Other fees

A. skill training fee

the fee is used for job-training for the severely affected villagers and for production skill training for the less severely affected villagers. This amount of the fee is estimated on the basis of training content, training period and the number of trainees.

B. Management fee

The management fee is equal to 1% of the total fee of replacement compensation and temporary land acquisition compensation. It is mainly used for immigration authorities’ office construction, for the purchase of equipment, and for wages, business trips and other administrative tasks.

C. Compilation and translation fee for the Resettlement Plan

The compilation-translation fee is equal to 0.1% of the total fee of replacement compensation and temporary land acquisition compensation.

D. monitoring and evaluating fee for the Resettlement

The monitoring and evaluating fee is charged according to Tie-Jian-She [2007] the 117th document, “On the Design and Compilation of the Railway Foreign-Loan Project”. The fee is 300 yuan/year, based on the length of railway which is put into operation. It covers the monitoring and evaluating cost during the resettlement process.

V) Unforeseeable fee

The unforeseeable fee is equal to 10% of the total fee of replacement compensation and temporary land acquisition compensation. It is used for resettlement agencies to deal with unforeseeable problems.

The total compensation fee for land acquisition and resettlement is estimated at 2,006,460,000 yuan, including: resettlement compensation 1.6815 billion yuan, accounting for 83.80%; temporary land acquisition compensation 119,620,000 yuan, accounting for 5.96%; other costs 25.22 million yuan, accounting for 1.26%; reserve fund 180.11 million yuan, accounting for 8.98%. Details are in Table 5-7 and Table 5-8.

**Table 5-7 total estimated compensation for land acquisition and resettlement**

number	Project	Total cost (million)	proportion (%)
I	Relocation	1,681.50	83.80
1	Land acquisition	542.87	27.06

2	Trees	97.74	4.87
3	Housing Demolition	1,040.89	51.88
II	Contemporary land acquisition	119.62	5.96
III	Others	25.22	1.26
1	Skill-training	5.00	0.25
2	Management	18.01	0.90
3	Compilation and translation	1.80	0.09
4	Monitor and evaluation	0.41	0.02
IV	Reserve fund	180.11	8.98
total		2,006.46	100.00

Table 5-8 estimated and detailed compensation for land acquisition and resettlement

Number	Project	Total cost (yuan/million)
I	Relocation	1,681.50
1	Land acquisition	542.87
2	Trees	97.74
3	Housing demolition	1,040.89
3.1	Demolished house: brick-wood	0.13
3.2	Demolished house: mud-wood	1.25
3.3	Demolished house: slum	325.33
3.4	Demolished house: brick-concrete	345.00
3.5	Urban demolished house	109.55
3.6	Demolished factory houses	48.54
3.7	Demolished wall	3.30
3.8	Demolished animal coop	0.11
3.9	Demolished warehouse	2.50
3.10	Demolished well:30m deep and diameter 0.6m	0.03
3.11	Water-pump demolition	0.06
3.12	Demolished motor-pumped well	0.18
3.13	Fish pond demolition	5.90
3.14	Greenhouse demolition	20.17
3.15	Grave displacement	0.14
3.16	Factory house	178.70

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II	Temporary land acquisition	119.62
III	Other	25.22
3. 1	Skill-training	5.00
3. 2	Management	18.01
3. 3	Compilation and translation	1.80
3. 4	Monitor and evaluation	0.41
IV	Reserved fund	180.11
total		2, 006. 46

## Chapter 6 Resettlement And livelihood development

Implementation of the RAP of Harbin-Jiamusi Railway Passenger Dedicated Line Project is the responsibilities of the local governments with support from the MOR, and the two design institutes and the southern communication university provide technical assistance and carry out the development of the RAP. Based on extensive investigation on resettlement impacts, explore proper livelihood and household development schemes in line with domestic regulations and WB resettlement policies.

The Harbin-Jiamusi Railway Passenger Dedicated Line is a double-track electric railway line extending as far as 342.057km. Residents affected by land acquisition along the line includes those in 2 cities, 3 counties, 3 districts along the line across the board city of 3, 26 rural towns, 5 streets, 71 administrative villages, and 5 urban towns. The total area of permanent land acquisition is 21,244 Mu, of which 13,548 Mu is cultivated land (paddy fields 688.86 Mu, dry 12,859.14 Mu), and accounts for 63.77% of the total land acquisition. All building demolition area reaches 478324m<sup>2</sup>, including 341100 m<sup>2</sup> of housing in the Countryside (71.31% of the total demolition area); 95380 m<sup>2</sup> of factory buildings (19.94%); 41844m<sup>2</sup> of housing in the urban area (8.75%). Altogether 11,439 people are affected, of whom 3070 are in the rural areas, namely, 640 households. Among those affected in the rural areas, 2255 (namely, 479 households) are affected by the land acquisition; 1035 (namely 207 households) are affected by the demolition, 207; 220 (namely 46 households) are affected by both. The project will impact a total of 23 factories and mines, which occupy a demolition area of 95380m<sup>2</sup>, and 3697 people in them. And a total of 973 urban households, that is, 4672 people, will also be affected.

### 6.1. General Principles

The general target of this resettlement plan is to provide adequate livelihood and household development measures in order to ensure their living standard to be restored to that at least as without project.

The overall principle of the project's resettlement plan is to relocate the households in their original communities, promote land based resettlement and make the affected farmers have stable income from agriculture, enlarge non farm industry to restore and improve their living standard and further maintain sustainable development of their resettlement areas, through respecting local customs of production and life style and fully consulting with the affected. The specific principles of the Resettlement Plan are as follows:

- ◆ The resettlement plan is implemented based on acquisition and demolished material object indexes and compensation and subsidies of land acquisition and demolition.
- ◆ Resettlement of resettlers is integrated with regional constructing, development of resources and economic and protection of environment. Based on their practical condition, regulate tailored strategies to rehabilitate, develop the production and lives of the resettlers, and create necessary conditions for their self development.

- ◆ The layout of the plan is according to the principle of “beneficial to production, convenient living”. All construction structures, including residences that are to be demolished, are to be followed with the principle of "demolished, rebuild". In almost all circumstances, affected people will receive new residential plots within their own village or neighborhood committees. Demolition will not take place unless housing plans are confirmed.
- ◆ Local governments shall promote rural transformation and implement new rural construction by the advantage of resettlement. Led by village and town planning, rural infrastructure construction shall be facilitated.
- ◆ The principle is to reconstruct structures according to the scale and standards of the demolished ones. The integration of regional development, expansion, elevation of standards and future planning of needed investments are to be resolved by the local governments and relevant departments. During the process of rebuilding and relocating, farmers will be closely attended by their respective village committees, local governments and County Railway Construction Support Offices.
- ◆ Give full and overall consideration to and correctly handle relations between the State, collectives and individuals.
- ◆ Adopt integration methods of compensation, subsidies and production support, and make full use of the advantages of the natural resources, to gradually enable resettlers to attain or surpass their original production and living standard.
- ◆ Households managed by women will have similar chances and rights to rebuild new houses as households managed by men. It is illegal to discriminate, deprive of rights and reduce the area of houses of households managed by women. Make use of resources (funds and labors) to ensure the satisfaction of households managed by women so that they can have an appropriate new place of residence.
- ◆ For those random residents with reserved resettlement measures, these measures shall be implemented only under the condition that the specialized acceptance organization entrusted by construction unit, confirms that noise in tested sensitive points and vibration in trial operation periods exceed the standard. The compensation and resettlement scheme shall be identical with that of neighboring main work. Fees of acceptance inspection and other probable expenditures arising from control measures used for noise and vibration are all listed in construction costs. □

## 6.2. Villager Livelihood Planning

### 6.2.1. Village Collective Land Ownership

The Chinese Land Administration Law (first issued in 1986 and revised in 1999) has decreed that all farmland and village residential land owned by all village members collectively in the name of the village collective. Under this joint title, all village members are entitled to an equal share of the land resources in the village. The rural reform started in 1978 saw the introduction of the farmer household responsibility system for farming. This replaced the communist-type of organization for collective farming. Households once again became the individual unit of farming. All households are allocated farmland for cultivation under the household contract system. The allocation was carried out based on the household size, calculated on a per capita basis as registered in the village collective. Sometimes, village keeps some land as collective reserve land to be leased out as village income. Equality and transparency are the fundamental principles to be adhered to in this allocation. The allocation approach and frequency varies greatly among the villages. At the same time, the on-farming infrastructure, such as wells, irrigation system and drainage system remain collective asset. Under the village self-administration system, village councils representing all village members will decide on the land allocation (method and frequency) as a way to share collectively owned resources equitably. Township governments play the role of adviser, monitor and technical control as well. Village administrative changes and economic activities are reported and filed for review (sometimes approval) with the technical sections of the township government. For example, village economic decisions, such as investment of land compensation funds into non-farm enterprises have to be filed with the township government for review of viability and approval. Similarly, any investment into the on-farm system (irrigation and drainage) would need to the review and approval of the irrigation departments.

Under the project, land compensation will be directly paid to the land-losing villages according to the Land Administration Law. As to the affected households who lose the use of their contracted lands, the village councils will discuss and develop a package of measures by way of sharing all the available resources in the village, including the available financial resources for the lost use of lands and remaining land in the village, contracted to households or reserved at collective level. The village would also examine the options of uncultivated land resources for development or low-yield land for improvement with the compensation money to increase land pool for reallocation, and increase the productivity of land pool. Through the resharing of resources within the villages and development measures, the affected households will be compensated and assisted in restoring their livelihoods. The RAP will describe a general package of livelihood development measures based on experiences country-wide and also feedback from the social economic survey and other planning activities. Detailed village planning activities will start when the project impacts are finalized with sufficient progress in project design and government internal approval of the project. Compensation for standing crops and household owned on-farm facilities will be paid directly to the farmer households.

### 6.2.2. Village Self-administration

The Village Committee Organization Law provides the legal basis for and governs the village organization and administration. A few key provisions are as follows,

- 1). Village committee is a self management, self-education and self-serve autonomous mass organization at the grassroot level on the principle of democratic election, democratic decision-making, democratic manage and monitoring.
- 2). In compliance with relevant laws, village committees manage all land and other assets owned by the village farmer collective, educate the village farmers to rationally use the land resources, protect and improve the ecologic environment.
- 3). Village committees are responsible to and report to the Villager Councils. Villager councils review annually the work report by the village committees and evaluate the performance of individual members of the committee
- 4). Concerning the following matters concerning the benefits of the villagers, village committees must table these in the village councils for discussions and decisions before they can be implemented,
  - ◆ The number of villagers eligible for subsidies for missing work and subsidy standard,
  - ◆ Use of profits of village collective economic ventures,
  - ◆ Fund raising schemes for public works such as village schools and village roads,
  - ◆ Proposal for village investment ventures, contracting proposal as well as proposals for contracting for village public works,
  - ◆ Villager contracting schemes;
  - ◆ Utilization schemes of household residential plots;
  - ◆ Any other matters concerns villager interest that villager councils believe should be discussed and decided in the villager councils

In line of the self-governance principle defined under the law, detailed villagewise planning will be carried out within the the broad schemes of compensation and livelihood restoration/development based on general experiences and initial round of consultations carried out during the socioeconomic survey. The detailed planning will be organized by the village committees, discussed and decided in the village councils. The package will cover all village members and would make sure that all project affected households will get their equal share of the resources through one or a combination of several options for the purpose of achieving livelihood restoration. The village committees will be responsible for organizing the implementation of the agreed livelihood measures. The governments at township and county level, including the project resettlement offices, will advise the planning process with technical input to guide, and monitor its implementation.

### 6.2.3. Approaches for Village Livelihood Planning

Chinese government project approval procedures are including the following: completion of project feasibility study report, report approved by Government, carrying out preliminary design, construction drawing design, commencement of project reapproved by Government. Then land delimitation and other works can be implemented clearly. Planning for livelihood development for the affected farmers will follow a phased approach under the above described Chinese system. This approach includes the first step general planning and the second step detailed village livelihood planning which are described in the RAP. There are mainly two reasons for this. One is the phased design process for civil works that will finalize the project impacts only at the detailed technical design stage. This RAP is prepared on the census based on preliminary technical design. Only when the impacts are fully identified (both land and affected households) and demarcated on the grounds and the available land resources clearly measured would the villages be able to carry out a meaningful process of developing the mitigation packages with the village farmers. Two, the government has a process of requirements for detailed livelihood planning, including consultation, public hearing, village endorsement of the compensation packages etc. This process is aligned with the government internal review and approval of the proposed project, which comes after the World Bank appraisal. At the appraisal stage, there is no detailed designing documents to support of starting detailed village level livelihood planning, villages are allowed to arrange livelihood planning activities at construction preparation stage after the completion of main project construction drawing. Resettlement implemented after the commencement of construction is in compliance with the Bank Policy on Involuntary Resettlement OP 4.12

The first phase will be the development of a general livelihood package. This is based on the general resettlement experiences and knowledge under the Chinese system as well as feedback and knowledge from the initial round of socioeconomic surveys carried out among over 2000 households in the villages. Practices in the local villages as well as latest policy initiatives to support land-losing farmers are also incorporated. This general package is described below. The second phase is the detailed livelihood planning within the villages on the basis of a comprehensive understanding of the final impacts and available resources in the village, including surplus land and fund. It requires to coordinate with the project engineering design progress and government internal processing of the project. The process and mechanisms of village planning is also described in the RAP.

### 6.2.4. Phase I - General Livelihood Development Plan

This general livelihood package is developed on the basis of the broad implementation experiences under the Chinese economic and institutional system as well as initial consultations in the socioeconomic survey. China has gradually developed over the past few decades a resettlement approach that has been adjusted from time to time in line with its land system, the rural economic and institutional reforms. These have been practiced across the country with variations depending on its economic development. These gradual developments have also yielded some general practices in terms of compensation and livelihood restoration. During the survey of project impact and the planning of the resettlement, the resettlement planning department organized related organizations and its members to attend meetings to conduct discussions with project involved

counties, townships and village groups respectively. These consultations enabled a good understanding of past practices in local village in dealing with land acquisition issues and village planning activities as well as feedback on suggestions for resettlement planning under this project. At the same time, they also reflected on how the relevant policies of the State and Heilongjiang Province are implemented on the ground.

The broad packages include, but not limited to the following, will be developed into detailed action plans among the villagers on the basis of available resources in the villages and villagers' preferences.

Four measures of livelihood development, covering cash compensation, land redistribution, social security program and training, are explored for restoring living standards of the affected villages.

#### 6.2.4.1. Cash Compensation to the affected households

The resettlement office shall pay the land compensation funds to the village according to the above compensation standard. Among the general village options for livelihood restoration, cash distribution to the affected villages is increasingly used. This is particularly so in the developed areas where more non-farm income generation opportunities are available and household income is already diversified. Often families preferring direct cash compensation would invest the cash compensation into their household non-farm ventures.

Where villages have decided collectively to pay cash compensation to the affected households, the following are involved,

- ◆ Reaching a collective decision within the village council on cash compensation to the land-losing households,
- ◆ If a household are without other livelihood measures, at least 70% of land compensation and all resettlement subsidies should be paid to the affected households.
- ◆ Reaching agreements with each individual households on the acreage of land loss and total compensation to be paid with signatures of all relevant parties;
- ◆ Where cash compensation is taken, the affected households may not be eligible for other village livelihood options, such as land redistribution. However, this is a village collective decision and would vary among the villages.
- ◆ Publicizing the household-wise land losses and compensation package within the villages;
- ◆ Payment delivery to the households according to the signed agreements;
- ◆ The land-losing household will be responsible for the investment of their compensation funds for income-generation and livelihood restoration, with technical advice and training to be provided by the relevant government rural extension agencies.

#### 6.2.4.2. Land adjustment within villages and collective use of land compensation funds

This was the only option stipulated in the Land Administration Law before its amendment in 1999 when it was left as an option to be decided by the village councils. With this option, the village collectives will adopt a land-for-land option for the affected households and would use the land compensation fund collectively. The measure is particularly effective to the project as the volume of land per capita is relatively higher and village flexible lands occupy about 5-10% of the total land area, therefore, it is no need to totally readjust and reallocate the lands. And moreover, the project is a rail line project with smaller volume of land requisition.

#### 6.2.4.3. Social security program for land-losing farmers

The social security programs started in urban areas first. As the government shifts its focus of development onto rural areas, this program is also expanded to benefit farmers in rural areas. And given the land acquisition impact under a fast developing China, provincial governments have issued specific policies for the land-losing farmers. This is an additional measure available for livelihood restoration for the land-losing farmers. This could be either a free-standing measure on its own or one measure of a package for livelihood restoration. It will be decided in the detailed village planning as to what a household package would be. Two highlights of the program,.

- I) Chinese policy development is a matrix system involving all levels of central, provincial and city/prefecture level. The central government generally issues a master policy that is required to be further developed and detailed at provincial level through a provincial policy, which in turn requires to be further detailed and elaborated into city/county policies taking into account local social economic considerations. This matrix of policies is a gradual developing process and is quite uneven across China and is still going-on. Information on the social security policies in the project areas are as follows. It is an on-going process and the progress varies,
- II) Main measures and procedures during the performance of the social security program policies. In areas where social security program related policies are issued, social security program is an additional resettlement measure for the affected farmers, being done after their receiving common resettlement compensation. Main measures are including the following, but each city has diverse policy provisions and standard of assistance.
  - ◆ Regulation in each city indicates a clear mechanism on how to carry out;
  - ◆ Farmers requisitioned of land to get pension insurance shall accordingly be divided into two groups by age: (A) Insurants are male who are no less than 16 years old and under the age of 60, and female no less than 16 years old and under the age of 55. (B) Pension beneficiaries are male who are no less

than 60 years old and female no less than 55 years old (rural residents requisitioned of land and changed to urban residents included).

- ◆ Pension insurance fund of farmers requisitioned of land shall be raised through the following channels: (A) Land compensation and resettlement subsidies paid to the farmers requisitioned of land; (B) subsidies given to the insurants and pension beneficiaries by the village collectives; (C) subsidies paid to the insurants and pension beneficiaries by the government from land transfer revenues. According to Harbin City's regulations, individuals and the village collectives are required to pay 40% of the total pension insurance premium respectively and the government subsidies pays the rest 20%. In Kiamusze City, the farmers requisitioned of land, the village collectives and the government each pays 1/3 of the total insurance premium.
- ◆ Set up a standard to determine the qualified candidates to join the social security scheme. For instance, Harbin City determines the individual's right to enjoy the scheme using the loss of all or most of arable land as an measurement. Currently every county takes each household's loss of half of the existing lawful land as a minimum limit.
- ◆ Setting a standard to identify who is eligible for social security program, for instance, those who have less than 0.3 mu farmland in Liuzhou of Guangxi have the right to be protected with social security program;
- ◆ Identifying individuals with social security program only through village meeting with approval from local government;
- ◆ Joining the social security program is voluntary;
- ◆ Setting two social security program accounts to collect money: county government account and personal account; county governments will input their state land related income into their social security program account while personal account relies on land compensation;
- ◆ Money in personal account can be inherited;
- ◆ Those who are identified for social security program have different benefits according to age generations.
- ◆ People requisitioned of land and are determined to enjoy social security scheme shall get different benefits according to age. Agricultural insurants shall get full pension monthly when reaching the required age (60 years old for male and 55 for female) if the insurance premium is paid as required. Agricultural pension beneficiaries shall get pension monthly from the next month after the insurance premium is paid as required; the pension received is the proportion they paid for insurance multiplies the city's urban residents

subsistence allowance of that month. Once the city's urban resident subsistence allowance standard changes, the municipal department of labor and social security and the municipal fiscal department shall jointly raise an adjustment scheme of the pension, and ask the municipal People's Government for approval before implementation.

- ◆ For people requisitioned of land and changed to urban residents, when employed by urban enterprises within legal working age, enterprises shall go to municipal social insurance agencies to get urban basic pension insurance for the employees. People requisitioned of land and changed to urban resident who participate urban basic pension insurance as individual workers shall go to the household registered district to participate urban basic pension insurance after the approval of the municipal department of labor and social security, .
- ◆ People requisitioned of land and changed to urban residents who participate urban basic pension insurance, when reaching the required age can get pension monthly if the insurance premium is paid no less than 15 years accumulatively.
- ◆ For people requisitioned of land and changed to urban residents, who are employed by enterprises or participate the insurance as individual workers and pay the urban basic pension insurance premium as required, when reaching the required age to get pension and the cumulative paying period is less than 15 years, the previous years' premium can be paid off one at a time when participating the insurance counting from no earlier than July 1996; after the previous premium is paid but the cumulative years are less than 15 years, the premium can be paid off once when the insurant reaches the required age to enjoy pension so as to meet the required cumulative years' premium. The one-time paid pension insurance premium shall be recorded into the individual's account as required.
- ◆ Standard for social security program is to be regularly increased according to local economic development.

III) Procedures to conduct social security program within villages are as follows:

- ◆ Villages meeting identify the people who participate in social security program;
- ◆ Disclosing the name list of the people within village;
- ◆ Submitting the confirmed name list to county authority;
- ◆ Processing according to the regulation to provide social security program for the people.

Table 6-1 Social safeguard in affected cities

Province	City	Name of regulations	Issuing time
Heilongjiang	Harbin	<i>“Provisional Measures of the Haerbin municipality on pension security system and reemployment service for land-expropriated peasants”</i>	2008-1-1
	Jiamusi	<i>“Provisional Measures of the Jiamusi municipality on Endowment Insurance for land-expropriated peasants”</i>	2009-9-10

#### 6.2.4.4. Employment training and other assistances

The governments would organize and provide employment training for the affected farmers. Different levels of governments have also issued policies on vocational training to assist the land-losing farmers in their livelihood restoration. A special focus is on the those farmers who are seriously affected and those who have taken cash compensation and are reestablishing themselves in non-farm sector.

Government departments are responsible for the planning, organization and delivery of the employment training. The vocational training would come in two categories.

- I) The first category is farming-related. This is to assist village farmers, including those who have lost lands, with on-farm extension services. The government has a sound agriculture extension system in place, with lots of experiences and capacity over the past decades. These are in the field of agriculture extension, including seeding, fertilizer, science and technology, veterinary service, forestry and sideline economic activities etc. These are generally provided through the extension stations (agriculture, animal husbandry, forestry, fishery, science and technology etc) under the various government departments.
- II) The second category is non-farm employment related. This is to assist those who have less lands left and are exploring non-farm employment opportunities. This training is to provide the farmers with new skills and assist them in finding new jobs through employment information dissemination and active organization for labour export to developed areas. Training areas would include food processing, mechanics, sewing, carpentry, security, cooking, maintenance and domestic services etc. These would be organized by the labour departments, jointly with enterprise employers.

Resettlement offices (normally land resources administration department) are playing a facilitating role. For the former, extension support is already a routine government department function. County and township governments would place special consideration and focus on the project-affected villages in their extension support. Resettlement offices would work with relevant government departments and the villages to organize the extension training services once their

detailed village plans are finalized. For the latter, the resettlement offices would submit to the labour departments the list of farmers losing land for training. The labour departments would organize and deliver the vocational training along with poverty reduction offices, women union and agricultural commissions.

For vocational training, the individual farmers would apply and participate in the employment training programs publicized at township level. After training, training certificates would be awarded. All vocational training would be free and training cost will be provided by local governments. All affected village farmers will be assisted in finding new jobs and in seriously impacted villages such as near railway stations, priority will be given to the seriously affected farmers in employment, such as cleaners, security and loading jobs. The affected farmers would be encouraged to start their own business, with support under government preferential policies.

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### 6.2.5. Phase II - Detailed village livelihood planning

Detailed livelihood planning at village level will start when the land acquisition impacts, including those for construction purpose, are finalized, and government has approved the project. Village committees will initiate village consultations and discussions over the resettlement and livelihood measures. These will be discussed, agreed in the village councils and publicized in the villages for implementation. The livelihood package and how they will be conducted will vary greatly among the village. However, they do share some common elements in their approach,

- ◆ Final impact investigation and public disclosure. Reinvestigate and finalize the quantity of required land and affiliated practicality of affected people and disclose the final impacts within village;
- ◆ Approval of land use (the State or Provincial government depending on type and/or amount of the land)
- ◆ Land compensation funds to be paid to the villages
- ◆ On the basis of the available resources, villagers will discuss and decide on the livelihood options and packages in the village councils. The collective technical schemes will be submitted to township governments for review of its technical feasibility.

- ◆ Township government will monitor and advise on the village livelihood planning process, files its result and conduct technical review of any investment proposals.
- ◆ Implementing schemes
- ◆ Resettlement offices and local government will organize and facilitate extension support and vocational training.

The Ministry of Railway, local government resettlement offices and the World Bank will regularly supervise the detailed planning process at village level and their implementation. These will also be regularly covered in the project internal progress report as well as the independent monitoring reports.

## 6.3. Resettlement plan

### 6.3.1. Production resettlement planning

In the survey and planning process, departments of resettlement planning should hold discussions with the counties (city, district), townships (town, street) and villages which are affected by the project. Leaders, migrants, and representatives of the villagers are welcome to take part in these discussions. In accordance with the resettlement policies and requirements of the Chinese government, the Heilongjiang Province government and the World Bank, we should hold project impact survey and make sure that all the migrant villagers are resettled in their original villages. The purpose is to help them maintain their original production style, life style and personal relationships. The resettled villagers are encouraged to continue the agricultural productions which they are familiar with. And conditions for developing other production styles will also be created. Detailed measures are as follows:

- I Firstly, departments responsible of resettlement should allocate the compensation to relevant village committees and villagers. Specific steps are as follows:
  - A. Investigation and Notice: Through investigation, the area of the expropriated land and the amount of land attachment of each household will be confirmed. Details should be noticed publicly.
  - B. Final confirmation: after the area of the expropriated land and the amount of land attachment are confirmed and agreed, both sides will sign on a compensation contract; Means of payment:
    - ◆ Compensation for young crop and ground attachments will directly allocate to the affected villagers according to the compensation contract signed by both sides.
    - ◆ The allocation of resettlement compensation varies because different villages have different resettlement measures. For instance, if the

affected villager isn't allocated with new land after land acquisition, resettlement compensation will be paid directly to his/her household. If, after adjustment within the village, new arable land is available to the affected villager, the compensation will be paid to the village and then be equally allocated to all villagers;

- ◆ Land compensation fee is the compensation for land ownership, and it will be paid directly to the village collective. As to the use of the fee, the village committee should discuss with the village representatives in the village assembly. The assembly will decide how to use the fee: whether or not put the fee partly or completely under the management of the village collective and apply it to the construction of roads, drains and other public programs; whether or not divide the fee and allocate it to the villagers according to the population or land area in each household.

## II Land allocation adjustment within the village.

- A. the village assembly organized by the village committee will decide whether to adjust the allocation of land after land acquisition.
- B. if the village assembly agrees to have an adjustment, then its implementation should carry out within six months;
  - ◆ If there's reserved land in the village, land allocated to the landless villagers will come from the collectively owned reserved land. The area allocated to each one is in accordance with the per capita arable land in the village;
  - ◆ If there's no reserved land in the village, general land allocation within one village will be readjusted and the readjustment will be decided by the village assembly;
  - ◆ The landless villagers can re-access to land and continue to engage in familiar agricultural activities.

## III Social Security arrangement.

In addition, the landless farmers eligible for social security will make voluntary decisions on whether or not being involved in the social security arrangement. Currently, Heilongjiang Province, where the project develops, has worked out social insurance schemes for the landless farmers. These schemes aim to protect the resettled farmers. More policies are detailed in section 4.2.2. The specific steps are as follows:

- ◆ The villagers who need social protection will be decided by the village committee;
- ◆ Publicity of the names of the villagers who could have access to social protection;

- ◆ Names are submitted to the Social Security Bureau for approval, and publicity of the final result should be given;
- ◆ Social Security Bureau starts to go through formalities according to relevant policies and procedures;

**IV** Job training and other assistances. After land acquisition, the landless people can take part in the job training programs local governments have organized. The detailed procedures are:

- A. The local labor security department is responsible for the organization and implementation of job training and is also responsible for the planning of job training methods and programs. Training contents depend on the needs of the employers and the actual situation of the trainees. Generally speaking, the employment training includes:
  - ◆ Training of skills applicable in the rural area, such as crop cultivation, livestock breeding techniques, etc.
  - ◆ professional skills required by urban enterprises, such as food processing, sewing, computer operations, etc.
  - ◆ Services skills in the urban area, such as security guarding, cooking, cleaning, babysitting, health care, etc.
- B. The resettlement department (usually the land and resources departments) provides the names of those who have lost their land due to land acquisition to the local labor and employment department (usually the county or district Bureau of Labor and Employment, poverty release department, women's federations, and agricultural sectors), so as to identify the trainees and arrange relevant trainings. Heilongjiang Provincial government thinks that landless farmers between 16 years old and 35 years old are the focus of the job training.
- C. After the publicity of information about the training courses, the affected individuals need to propose application for registration into the training programs. The applicants will be put into different classes and be trained in sequence. At the end of the training, they will receive a certificate.
- D. All the job trainings are free of charge, and the cost is paid by the finance department of local government.
- E. The trainees can select from the recommended jobs voluntarily. These jobs, both local and remote, are non-agricultural, located in the urban areas. As to the severely affected villages, the affected villagers will be given priority in renting station facilities and choosing non-skilled work opportunities such as

cleaning, security guarding, cargo handling, and etc. Details of the training program are in Table 6-2.

- F. The landless farmers are encouraged to be self-employed and run their own businesses. Those who are below retiring age and yet have no jobs, if they want to be employed, can profit from relevant supporting policies and enjoy concession of some fees in a certain period, such as registration fees, management fees, and even taxes.

**Table 6-2 job training planning for the acquisition-affected people**

Time	Address	Training institution	Trainer	Trainee	Training content
2011.2	Local Bureau of Labor and Social Security	Local resettlement department	Agricultural experts	acquisition-affected people	Training of skills applicable in the rural area (crop cultivation, livestock breeding techniques, etc)
2011.2	Local Bureau of Labor and Social Security	Local resettlement department	Teachers from Vocational schools	acquisition-affected people	Professional skills required by urban enterprises, (food processing, sewing, computer operations, etc.)
2011.2	Local Bureau of Labor and Social Security	Local resettlement department	Teachers from Vocational schools	acquisition-affected people	Services skills in the urban area, (security guarding, cooking, cleaning, babysitting, health care, etc.)
2011.2	Local Bureau of Labor and Social Security	Local resettlement department	Agricultural experts	acquisition-affected people	Training of skills applicable in the rural area (crop cultivation, livestock breeding techniques, etc)
2011.2	Local Bureau of Labor and Social Security	Local resettlement department	Teachers from Vocational schools	acquisition-affected people	Professional skills required by urban enterprises, (food processing, sewing, computer operations, etc.)
2011.2	Local Bureau of	Local resettlement	Teachers from	acquisition-affected people	Services skills in the urban area, (security

	Labor and Social Security	department	Vocational schools		urban area, (security guarding, cooking, cleaning, babysitting, health care, etc.)
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Resource from: Local resettlement department

### 6.3.1.1. Resettlement of the Less-affected Villages

Villages where small amount of land is expropriated or little arable land is expropriated need no readjust its land allocation. However, relevant resettlement plans should also be agreed by the affected villagers and their village assembly. Compensation for young crops should be delivered directly to the owners. And the remaining compensation should be dealt with as follows:

- I) Reserved land collectively owned by towns and villages is to be allocated to the land-losing farmers. And the land compensation could be used to improve infrastructures and subsidize resettled families or be managed by the village collectively and develop other industries;
- II) Land compensation fees and resettlement fees are paid directly to the landless farmers.

### 6.3.1.2. Resettlement of the seriously affected Villages

The impact of the project on different villages varies from each other. Those which locate in places where railway stations are will be worse impacted. The project involves five severely affected villages and special attention should be paid to them.

Resettlement working groups, local governments and other resettlement authorities, together with the resettled people, should work together to make a recovering planning. The planning should take actual situation in each village and actual land acquisition into consideration. The production recovery plan for reference is summarized as follows:

- (1) Allocation of the collectively owned reserved land:

Most of the village collectives can allocate the reserved land to the farmers whose land is mostly expropriated.

- (2) Various non-agricultural settlement:

For immigrants whom no land can be offered, such as those near the train station, monetary compensation as well as employment and skills training is to be provided, so as to help them engage in other businesses;

- (3) Social security

Any migrants, agricultural or non-agricultural, as long as they meet the policy standards, can be legally entitled to their social security rights.

## 6.3.2. Housing Demolition Resettlement Plan

### 6.3.2.1. Rural Housing Demolition Resettlement Plan

House site selection and standards

Rehabilitation for farmers shall be in the neighborhood. According to those points and combine the local conditions, the house base shall be located near the village and existing barren slopping land nearby the collective resident in the way of centralization or separation avoiding engrossing plough.

Besides the compensation for removal, residential land for new house shall be distributed to those affected farmers free of charge by the village, and they shall not pay for new house land. Cost of base land shall be calculated separately, and shall be distributed to the villages by resettlement department, and the villages will cooperate with local government to make up the measure how to distribute.

In China, when a villager requires land owned by village collectives to construct new houses, the villager will have to submit an application. This application will have to be approved through a conference by villagers, examined by the village committee, examined and verified by township level governments, and to be submitted to county level governments to be approved.

Land for new house shall be confirmed by villagers and relocated farmers. Normally, those farmers like location having good transportation facilities like highway or both sides of road. The village shall try its best to satisfy them, and within authorized area, the village shall permit the farmers to choose the location to rebuild their house.

Standard of house site shall be implemented according to relevant regulations of different counties (cities and districts)

#### **(1). Land leveling and infrastructure planning**

##### **A. Land leveling for house base**

Most of the farmers are resettled separately, so the resettled farmers can choose sloping land within their village or other villages. Generally, the base land with good geology can be built after leveling.

##### **B. Facilities**

- ◆ Water supply: According to existing conditions to affected residents, the water shall be provided by existing water supply network or digging well by themselves.
- ◆ Power supply: connecting to existing power supply facilities by 220Kv poles.

- ◆ Road: villages shall be responsible for arranging the new house to locate near existing roads and centralized residents point avoiding road construction additionally, and it will improve transportation conditions for those live separately.
- ◆ Broadcast and TV: relocated people can receive broadcast signal by existing facilities, meanwhile, they can reinstall their original TV facilities or use existing facilities to receive TV signal in the resettlement area.
- ◆ Hospital and School: In principle, the relocated people shall be resettled to centralized resident point and after allocation; they can use existing school and health facilities, so that improving their hospital and school conditions.
- ◆ Suggest that local governments shall implement new rural construction by the advantage of resettlement.

Suggest that local governments shall promote rural transformation and implement new rural construction by the advantage of resettlement. Led by village and town planning, rural infrastructure construction shall be facilitated. Here put forward the following conceptions for reference:

- I What comes first is the establishment of a management system, which helps to make a scientific and reasonable planning for the construction of townships. The planning and construction of townships should develop in a systematic and standardized way. We should follow the principle of "Fitting into local conditions, highlighting local characteristics, moderately advancing, achieving a goal in one leap" and the requirement of "merging small villages, demolishing empty villages, reducing natural villages, establishing central villages". There should be a special organization which is responsible for the planning.
- II Secondly, we should strictly follow the principle of "first planning then construction, no planning then no construction". Under the guidance of the approved planning, local authorities should supervise the villagers and help them construct residences, infrastructures and public facilities. The following measures are recommended: moving scattered households into the village; renovating the original village; protecting historical and cultural village; constructing environment-friendly village; constructing rural new village.
- III Thirdly, the construction of residential houses should follow the planning and be within local capability. Public opinions should be taken into account. And housing styles need not be identical. No uniform design should be forced upon the locals and unnecessary demolition and extravagant constructions should be avoided.

- IV** Fourthly, we should improve the village and township images and protect the environment of rural markets. Special attentions should be paid to better the sanitation in rural areas. Therefore, activities like "clearing rubbish and sludge, removing barricade, relocating water lines, and renovating kitchens, lavatories and loops" should be encouraged. The greening and beautifying of the environment should also be practiced. Besides, human residences should be separated from loops. All the actions aim to achieve the rural residents' dream of "walking on flat road, drinking clean water, having sanitary toilet and living in clean room".
- V** Fifthly, efforts should be made to offer better rural infrastructures and services. The construction of roads, especially hard roads, should speed up. The use of rural biogas and renewable clear energies such as straw gasification is to be encouraged. Besides, the farmers' work of relocating water lines, renovating kitchens, lavatories and loops, and building bathrooms should be vigorously promoted.
- ◆ The popularization of Tri-Linkage biogas toilets: the Tri-Linkage toilets link the septic tank, the animal loop and biogas digester together. Human faeces and animal wastes enter the biogas digester completely and are fermented there. The biogas toilets can transform wastes, useless straws, and abandoned plant leaves and stems into useful things. For instance, processed slurry and residue can be used as agricultural fertilizer.
  - ◆ The popularization of urine-faeces separating ecosan toilets: the ecosan toilet contains urine storage tank, storage pits, exhaust pipes and heat-absorbing plate (drying board). The key procedure is to add lime after using, which could keep the faeces dry. Prior to using the toilet, all lime of 5 ~ 10cm deep in it. After each use, the user should cover more lime about 3 times the amount of manure. Faeces are left in toilet for half to 1 year. Urine does not enter the septic tanks where faeces are kept. Urine container should avoid light and require to be confined. After water added into it and the urine diluted 5 times, it can be directly used for crop fertilization.
- (2). Others**
- ◆ The time needed for construction of the new houses is about 3-5 months. The construction of the new houses will be carried out by the villagers. Generally, they will entrust the construction work to a local businessman. Villagers can salvage construction materials from their original houses without charge. There will be no deduction of expenses from their compensation.
  - ◆ Compensation for the demolished house will be paid to the village household by the resettlement departments of the county prior to relocation.

- ◆ The principle is that new houses are to be constructed before the demolition of the old ones. If demolition is carried out prior the construction of the new house, it will be necessary to provide village households will transition subsidies. This is to enable them to rent houses during the transition period. Villagers often seek refuge with relatives and friends during the transition period. They will seek to borrow empty houses of relatives and friends for the transition period. Under these circumstances, transition subsidies must still be made to them. The standard is about 5-10 Yuan/m<sup>2</sup>/month (six months), which shall be paid just for once by resettlement administration agency. The transportation fees are 200-300 Yuan per household. However, it must be stressed that, no matter the circumstances, demolition is not to be carried out until after the construction of new houses.
- ◆ If villagers would like to enlarge the area or raise the standards of the new houses, they will have to make payment for the additional costs; based on their financial situations, villagers are to decide for themselves whether or not to enlarge the area or raise the standard of quality of the houses.
- ◆ The residences of village households are much dispersed. They will build their new houses themselves. Labor costs and expenses for construction materials are included in the compensation for demolition. Villagers who are to construct new houses can select: 1. enlarge the area of the house and raise the level of comfort; 2. construct new houses that are of the same area, quality and standard as the previous ones and the remaining compensation can be used in other ways. The location of the new house can be negotiated between the villager and villages or village groups. Nevertheless, the new residential plot will be provided by the village to the villager without charge.
- ◆ It will motivate the affected families that reconstruction of new houses is completed by themselves after they get the compensation. The families can take many ways to control and reduce cost, such as getting help from relatives and friends, utilizing original housing materials and local materials. In addition, they can also choose the house styles they like etc.

### 6.3.2.2. Urban housing demolition and resettlement planning

The railway project will affect 973 urban households (4672 people) and demolish 41,844 square meters. Urban housing demolition and relocation compensation has included land acquisition fee.

As to the urban resettlement, we have asked for opinions of the relocated residents and also referred to other railway-related demolitions. We compared various methods on their feasibility. Through field investigation, we proposed several methods: a centralized and unified construction of resettlement area, uniform purchase, monetary compensation for their own house purchase, etc. The vast majority chose the monetary compensation. After investigation, we got to know that

residence of all types and prices around the demolition area are available. Monetary resettlement in urban areas has been effectively implemented in other similar rail projects, such as the Harbin-Dalian Railway Passenger Dedicated Line project.

Monetary compensation will be paid in accordance with the purchase price, or market price. Besides the demolition compensation, the residents will also receive settling allowance and transition allowance.

Resettlement of urban residents and relevant procedures

**(1). Investigation and verification.**

The measurement of usable area and auxiliary area and the contracted area need be verified. The verification also covers population structure, age, health status, occupation, and so on.

**(2). Door-to-door visit for advice.**

As to how to compensate, the demolished residents can choose money or house exchange.

**(3). The compilation of demolition plans.**

After having the land use rights, the developers should go to the local police station and Bureau of Houses and copy the affected residents' house ownership record. Then, they should visit every household, verify the real condition, and make a classified record. According to the verification and the state and provincial compensation standards, the developers should work out a detailed demolition planning.

**(4). The procedures of applying for land use permit**

The developers should have the land use rights of the demolished houses first. To do so, they should apply to related government departments for the construction land use license. If approved, they will be given the license. Meanwhile, the geographical scope of their demolition will be regulated. Then, the government authorities will stop the reconstruction and the expansive construction of the residences to be relocated.

**(5). Application for the demolition permit**

The Chinese government uses a licensing system for house demolition. The units which are to demolish houses could only take practices after having the demolition permit. To obtain the house demolition permit, the applicants shall submit the following materials to related local government departments: the construction project approval documents; the construction land use license; state-owned land use permit; demolition and relocation planning; evidence of funds for demolition compensation issued by the banking institutions. Local government departments shall review the applications within 30 days from the date of receipt; upon examination, they will issue house demolition license to the applicants.

The house demolition permit is the legal proof for the developers to practice demolition activities and there is a time limit and power limit for it. The demolition activities must be confined in the area approved by the permit. No discretionary expanding or narrowing is allowed. Besides, the demolition must be completed within the stipulated period. No discretionary postponement is allowed. If, for some special reasons, demolition area and time duration needs to be changed, the developers must promptly report to the house demolition departments, make explanation and wait for approval.

**(6). Publicity**

Upon issuing the demolition permit, the departments for demolition management should publicize its content, including: the developer, the demolition scope, demolition duration, etc.

The departments for demolition management shall publicize and explain the details to the people whose residences are to be demolished.

The house demolition notice should be posted in places that are eye-catching and easily accessible. For large-scale demolitions, the notice should be placed in the local newspaper. By publishing house demolition notice, people to be removed will have more knowledge on the construction process and relevant laws and policies. They will know their rights and obligations and avoid future conflicts. The notice should cover the following information: name of the construction project, the developer, the demolition time, the demolition scope, implementation units, etc.

**(7). Signing the contract of demolition and resettlement compensation. After the demolition notice is publicized, both sides should sign a contract, covering the way and amount of compensation, resettlement housing area and the resettlement sites, relocation period, relocation pattern and transition pattern.**

**(8). The notarization and record of the demolition and resettlement contract.**

**(9). The implementation of the demolition.**

The relocation and resettlement of urban residents for the Harbin-Jiamusi railway will refer to that for the Harbin-Dalian railway passenger line.

The following is the policy for the relocation and resettlement of Wanggang town, Nangang District, which has been implemented by the construction headquarters of the Harbin-Dalian Railway Passenger Dedicated Line. The abstract of the policy is as follows:

- 1). The option of the relocation compensation patterns:

The relocated residents can choose either monetary compensation or property swap.

- ①. Monetary compensation
- I) The monetary compensation for residents to be resettled is 1680 yuan / □.
- II) The relocation subsidy is 10 yuan / □ (recorded construction area only).
- ②. Property swap
- I) the resettlement housing for property swap is located inside the Agricultural Machinery Plant in Wanggang Avenue, Wanggang Town, Nangang District. The standard housing units include: one and a half bedrooms of 50 □ for floor area ; two bedrooms of 60 □ for floor area; two and a half bedrooms of 70 □ for floor area. Besides, there are minimum units of 40 □.
- II) the construction cost price of the resettlement housing is 980 yuan/□ and the comprehensive cost price is 2,500 yuan / □. The price of commercial housing depends on local market price. There are some differences for the price of different floors: the 2nd floor maintains the standard market price; price for the 3rd and the 5th floor increase 3%, 5% increase for the 4th floor; 2% decrease for the 1st floor; 8% decrease for the 6th floor if it's the top floor; 2% decrease for the 6th floor if it's the top floor with an attic.
- III) if the relocated residents choose property swap, then, they will receive existing housing for compensation. The area of the compensated house depends on that of the demolished one.
- IV) if the overall demolished area under the same person is less than 70 □ (including 70 □), the compensated houses he receives will be the sum of several standard units that are nearest in area to the demolished ones. The excess area will be paid by the resettled residents at a price of 2,500 yuan / □, which is the comprehensive construction cost price. If the residents ask for more area than they deserve, the excess part will be considered as commercial houses and be paid at the market price.
- V) if the overall demolished area under the same person is beyond 70 □, the person could choose a large size housing or a standard unit in the resettlement community. If the overall demolished area is larger than that of large size housing or a standard unit, the person will be compensated for the excess part. Similarly, if the demolished area is smaller than the compensated one, the person should pay compensation for the excess part at a market price.
- VI) if the relocated residents choose property swap, they could choose their resettlement housings in sequence of the removal order.
- VII) the removal subsidy is 20 yuan / □ (recorded construction area only).

VIII) the makeshift settlement subsidy is 10 yuan / □/month (recorded construction area only). The subsidy will be paid every 6 months during the transitional period. If the transitional period is over 18 months, then the subsidy for the overdue will be 20 yuan / □ /month.

2). the removal and resettlement security

①. If the relocated family has a per capita housing area below the city's (in 2008 the city's per capita housing area is 29.36m<sup>2</sup>) and the demolished house is less than 40 m<sup>2</sup> (including 40m<sup>2</sup>), or, if due to financial difficulties the family is unable to pay for a 50 m<sup>2</sup> unit, a housing unit of 40m<sup>2</sup> will be provided. As to the excess area, the relocated family could pay at a construction cost price of 980 yuan / m<sup>2</sup>. They could also choose to rent the excess part first and pay off the purchase price after their financial situation improves. And the housing property of the excess part will be given to them after the paying-off.

②. If the relocated family chooses monetary compensation and has a per capita housing area below the city's, or if the compensation is below 70 thousand yuan, the lowest level according to the "Urban Housing Demolition Management Interim Measures in Harbin City", the family will still receive 70 thousand yuan.

③. A subsistence allowance of 20 thousand yuan shall be given to the relocatees who hold "Urban Minimum Living Guarantee Certificate" or are public housing tenants; another subsistence allowance of 10 thousand yuan shall be given to the disabled relocatees who hold "Urban Minimum Living Guarantee Certificate" and "Disabled Permit People's Republic of China".

3). incentives and standards

The relocated family who remove 15 days before the prescribed time limit will be awarded with 5 thousand yuan.

### 6.3.3. The resettlement planning of the affected schools

No school will be relocated in this stage.

In the next stage, if there are relocated schools, compensation will be paid to town committee or village committee where the schools located. Compensation must be abundant for the schools' reconstruction, and another fee should be paid during the transitional period. The project unit and resettlement department will consult with school authorities of the specific planning for school reconstruction and relocation. Issues like location and construction need to be covered. If the school needs to be expanded, town or village committee will pay for the additional cost. Chinese people always pay attention to education, therefore, under normal circumstances; the condition of most affected schools will be improved. What should be emphasized is that nothing could affect teachers' teaching and students' studying.

#### 6.3.4. The resettlement planning of the affected factories and mines

The affected industrial enterprises concentrated in cities and towns at both sides of the Harbin-Jiamusi railway line. Those affected enterprises, shops and their employees, their loss during the demolition and reconstruction period will be fully compensated according to the law. The Government will assist those affected enterprises to re-build and restore production, guide and help them to re-select the new location. The large enterprises will move into the urban industrial areas according to the local planning, and their reconstruction and restoration of production will be ensured. The enterprises under township or village level will move into new places in the original town or village; the private enterprises will rent the village collective land to continue their production. After receiving the compensation fee, they can remain or remove to other rented land, and re-start their business.

The project is estimated to impact 23 factories and mines, whose demolition area reaches 95,380 m<sup>2</sup>, 19% of the total demolition area. Generally speaking, local government officials hope the factories and businesses to rebuild locally, and they will compensate for any loss of the enterprises and their employees. Of the affected enterprises, seven are military facility producers; one is Heilongjiang Jiaxing Glass Co. Ltd; the rest are small-scale private businesses which only employ contracted or temporary workers.

The compensation for relocated factories and mines is based on the current market price of land, building, equipment and other appurtenances. It also covers relocation fee, closure loss, and industrial loss. It'll be up to the enterprises to decide whether to relocate or reconstruct after the railway project. Affected employees will be compensated for the wage loss during the transitional period and they will have priority in re-employment after the relocation or reconstruction of the enterprises.

Local resettlement departments will take the following measures and procedures in resettling factories and mines:

- ◆ Consultation: The consultation of the resettlement of enterprises and their employees.
- ◆ Assessment of costs: the enterprise owners hire an independent and professional assessment institution to determine the compensation.
- ◆ Compensation: it contains enterprise relocation fee, removal costs, industrial loss, and employees' income loss during the transition al period.

The cities and counties involved in this project, such as Harbin City, Binxian County and Jiamusi City, all have their own industrial parks. Local governments have worked out some preferential investment policies to attract enterprises to enter the park. The industrial parks are: Harbin High-tech Industrial Development Zone, Harbin Science and Technology Innovation Industrial Park, Harbin Hanan Industrial Park, Harbin Binxi Economic Development Zone and Jiamusi Xinxing Industrial Park (formerly Jiadong Industrial Park).

In the document issued on February 4, 2010, namely, "Harbin Municipal Government: On Supporting the Development of Harbin Science and Technology Innovation Industrial Park and Harbin Hanan Industrial Park" (Ha-Fa (2010) the 2nd document), there are many preferential investment policies. For instance, (24) special financial support: From 2010 on, the municipal government will give special funds mainly to the new industrial parks, in order to support new businesses and construction of large projects. (25) Financing support: during the construction period of the new parks, the municipal government will give priority to the Management Committee of High-Tech Zone and the Committee of Economic Development Zone in issuing government bonds and corporate bonds. (26) Project support: give priority to the construction of the city's large projects, especially those in the development zone. The following document, "Measures on Investment Attraction in Harbin High-tech Industrial Development Zone", was issued on May 1, 2010. According to Article 2, Harbin High-tech Industrial Development Zone (HHIDZ) will follow the principle of "government guidance, social construction, market-orientation, enterprise management". Companies and investment from both home and abroad are welcomed. And the establishment of all forms of innovation and investment institutions, venture capital funds and angel investment funds are encouraged. According to Article 3, the Management Committee of Harbin High-Tech Zone will grant a 3-year office renting subsidy to the investment institutions which move in the zone. And the Committee will provide 15 square meters of office space per capita. According to Article 4, a High-tech Zone Venture Capital Investment Firm will be established, which welcomes the participation of investment institutions, investment team, venture capital funds and angel investment funds both in and out of the Harbin High-Tech Zone. And the equity ratio should be less than 30% of the paid-up capital. According to Article 8, the Management Committee of Harbin High-tech Zone will have an assessment of the investment institutions and give a certain amount of reward to those investing most.

Harbin Binxi Economic Development Zone is located in western Binxi County. Over the past 5 years, the amount of investment in the zone has reached 500 million yuan. The construction of infrastructures, such as roads, water supply, drainage, sewage treatment, electricity, communications, greening and lightening, has been completed. And 1 billion yuan will be invested continuously to improve the infrastructures in the next 3 years. Because of the excellent location, the preferential investment policies and the high-quality service, the Zone has attracted over 80 fixed asset investments, each of which has invested over 10 million yuan. Preferential policies include: new enterprises whose accumulated revenue reaches 20 million yuan in 3 years will enjoy the tax incentive policy for another 2 years; enterprises whose accumulated revenue reaches 20 million yuan in 2 years will enjoy the tax incentive policy for another 2 years; enterprises whose annual revenue reaches 20 million yuan in the first 3 years will enjoy the tax incentive policy for another 5 years. Enterprises to be constructed will be free of local administrative fees (asxj fee excluded), and the operating fees will be charged by the low limit. For high-tech projects whose annual revenue is over 5 million yuan, the investment invitation leading group office will grant some preferential policies. As to enterprise on agricultural and sideline products deep processing, if its fixed asset investment amounts to the required standards, the local governments could declare it as a corporate champion of agricultural and sideline products deep processing. To cope with the liquidity shortage, the enterprise could consult with the banking institutions and use its land, factory buildings and plant equipments as the security for loans.

The Investment Inviting Preferential Policy of Jiamusi Hi-Tech Industry Development Zone is distributed to you for serious implementation. (Jiazhengfa[2009]No.19)

1. Land Policy (1) The enterprises investing in the Hi-Tech Zone can chose three land offer modes which are remise of land, installment and leasing. In case of occupying collective land, the land requisition cost shall be borne by the investing enterprise. (2) The land used for the industrial, commercial and tourist purpose shall be remised in public by legal means of tender invitation, auction and nominal quotation. The duration of remise shall be in accordance with the maximum duration. According to the category of our city (Level 8 of Category 3), the land in the Hi-Tech Zone for industrial use is in accordance with the minimum standard stipulated in the national regulation. (3) For the investing enterprises who bought the land use right at one time in the Hi-Tech Zone at the specified price and compliant with the following conditions, the financial department will appraise its amount of paid tax after putting into production and give a financial reward of 100% to 30% of the local revenues from the land development cost (i.e. net land cost) if the amount of paid tax reaches the net land cost within three years. (4) For the hi-tech projects investing 50 million RMB and above, the state-owned land can be leased first and then remised to them. For the enterprises whose amount of paid tax reserved for local government accumulates to the land development cost (net land cost) within 4 years since the date of approval, the land authority will issue the land use certificate and the financial department will reward them according to the above Article (3) of the Land Policy. The enterprises who haven't reached the land remise amount within 4 years can also get land use certificate after paying the balance at one time. (6) The industrial enterprises out of Hi-Tech Zone are encouraged to wholly move into the Hi-Tech Zone. If the previous land used by the enterprise is changed into business-living land, the disposal benefit will be used for compensation for relocation of the enterprises or the compensation for relocation can be in form of remise, exchange, etc. For the hi-tech enterprises in the Hi-Tech Zone, during the first tax payment year, the technology transfer income not exceeding 5 million RMB will be exempt of income tax of enterprise. Half of the part above 5 million RMB will be exempt of income tax of enterprise.

4. Investment Service Policy. (1) The Hi-Tech Zone Management Committee will sign an agreement with the project unit settled down and provide the whole set of public infrastructure to the project unit at the agreed standard. (2) For the project invested in the Hi-Tech Zone, the local part of the administrative charges for the municipal administrative approval and government service will be exempt. The business service items will be charged at the minimum standard. The municipal administrative service center will coordinate all the related authorities to accelerate the approval formalities and charge the fees uniformly. Other administrative authorities shall not charge other fees.

5. Special Policy. For the major projects in accordance with national industry policy with a fixed assets investment of 100 million RMB and above, a high content of technology and making big contribution to the finances as well as the new investment projects of the existing enterprises in the Hi-Tech Zone, the preferential policy can be given case by case.

There are 23 enterprises and mines affected by the project. The preliminary plan for resettlement seen in Table 6-3

**Table 6-3 The preliminary plan for resettlement of enterprises and mines**

County/district	Name of enterprises	preliminary plan
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Resettlement Action Plan

Doawai District	Jinxiang Art Glasswork	Paying for compensation fees. Governments shall support in nearby land renting or non-occupied factories renting to restart the production
	Beiren Factory on Measurement and Knife Tools	Paying for compensation fees. Governments shall support in nearby land renting or non-occupied factories renting to restart the production
	Xingsheng Plastic Printing and Package Company	Paying for compensation fees. Governments shall support in nearby land renting or non-occupied factories renting to restart the production
	Xinlong Manufacturer	Paying for compensation fees. Governments shall support in nearby land renting or non-occupied factories renting to restart the production
	Hongda Hardware Factory	Paying for compensation fees. Governments shall support in nearby land renting or non-occupied factories renting to restart the production
	Sanheshu Locomotive Terminal	Reorganization within the rail system to restart the production
	Longyun Highway Passenger Transport Company	Paying for compensation fees. Governments shall support in nearby land renting or non-occupied factories renting to restart the production
	Manufactory Branch of Special Equipment Co.,Ltd	Paying for compensation fees. Governments shall support in nearby land renting or non-occupied factories renting to restart the production.
	Qiaoyi Stainless Steel Factory	Paying for compensation fees. Governments shall support in nearby land renting or non-occupied factories renting to restart the production
	Zhonglian Manufactory Co.,ltd	Paying for compensation fees. Governments shall support in nearby land renting or non-occupied factories renting to restart the production
Zhengda Medical Machine Factory	Paying for compensation fees. Governments shall support in nearby land renting or non-occupied factories renting to restart the production.	

**Resettlement Action Plan**

	Chenggong Weiye Window and Door Manufacture Company	Paying for compensation fees. Governments shall support in nearby land renting or non-occupied factories renting to restart the production
	Aosen Furniture Factory	Paying for compensation fees. Governments shall support in nearby land renting or non-occupied factories renting to restart the production
	Aotong Automobile and Electronic Plant	Paying for compensation fees. Governments shall support in nearby land renting or non-occupied factories renting to restart the production
	Common non-standard Tool Factory	Paying for compensation fees. Governments shall support in nearby land renting or non-occupied factories renting to restart the production
	Weicheng Cable Co.,ltd	Paying for compensation fees. Governments shall support in nearby land renting or non-occupied factories renting to restart the production
	Material Factory of the Fourth Division of 13 <sup>th</sup> Engineering Bureau of the Ministry of railways in Longxin Villa	Paying for compensation fees. Governments shall support in nearby land renting or non-occupied factories renting to restart the production
Bin County	Gaoleng Hatching and Breeding Base	Paying for compensation fees. Governments shall support in land renting or non-occupied factories renting in Bin County to restart the production
	Explosive Depot of the Forestry Bureau of Fangzheng	Paying for compensation fees. Governments shall support in nearby land renting or non-occupied factories renting to restart the production
Jiamusi	The sixth engineering division of Hongxing Construction Company	Paying for compensation fees. Governments shall support in nearby land renting or non-occupied factories renting to restart the production
	军事设施 Military facilities	resettlement shall be co-supported by the military side and local governments
	Jiaying Glass Co.,Ltd	Paying for compensation fees. Moving to Jiadong Industrial base to restart the production
	Tianyixing Coal Mine	Paying for compensation fees. Governments shall support in nearby land renting or non-occupied factories renting to restart the production

## ④ Typical cases

## Harbin

Table 6-4 resettlement plan for common non-standard Tool Factory

Item	Content
Basic condition	The factory is located in the north side of the existing Harbin East Railway Station. Its manager is called Mr. ZHANG Wenzhong, with cell number of 13904658627. There are 180 workers in the factory. The total land area of the factory is 7.5 mu, with an area of demolition of 5000m <sup>2</sup> . The annual production value is 25 million Yuan.
impacts of demolition	The total requisitioned land area of the factory is 7.5 mu, with an area of demolition of 5000m <sup>2</sup>
Coordination and decision	A resettlement scheme has been agreed after coordination with the manager. The project owner also employs an independent professional evaluation agency to conduct evaluation on the factory so as to determine the compensation fees
Measures of resettlement	<ul style="list-style-type: none"> <li>⌚ Pay for the compensation fees</li> <li>⌚ Pay for the fees for movement and loss due to production stop or reduction</li> <li>⌚ Find another appropriate place for reconstruction under the support of the resettlement office</li> </ul>
Budget	15 million Yuan
Implementing agency	resettlement agency of Daowai District of Harbin
Time arrangement	February 2011

## Jiamusi

Table 6-5 Resettlement plan for Jiaying Glass Co.Ltd

Item	Content
Basic condition	The factory is the largest limited company on glass production and further processing of decorated glass in Heilongjiang Province which was established under the joint effort of the nation, province and city in the Ninth-Five Year Plan Period. It is located in the southwest side of the existing Jiamusi railway station, whose deputy general manager is called Mr. Huang Sicheng, with a telephone number of 0454-8234900. There are 1020 staff and a total asset of 441.01 million Yuan and a total land area of 2320 thousand m <sup>2</sup> . There is a high quality float glass production line of 360 tons, with an annual production of 2.4 million weight boxes of high quality float glass. There are four further-processing production lines, with an annual production of 300 thousand m <sup>2</sup> of toughened glass, 100 thousand m <sup>2</sup> of bullet-proof glass, 10

	thousand m <sup>2</sup> of vacuum aluminized glass, and 10 thousand m <sup>2</sup> of emulsion glass. Meanwhile ,the factory has introduced and developed further-processing equipments for multi-function high-decorating glass production.
impacts of demolition	The requisitioned land area is 21 mu and an area of demolition is 14371 m <sup>2</sup> .
Coordination and decision	Combing with the construction of Harbin-Jiamusi Railway Passenger Dedicated Line and the master plan of removing the industry from downtown area of Jiamusi city to the new development zone, it is agreed to remove the factory to the high-tech industrial development zone in the east of Jiamusi city and build a low-radiation coating glass production line of 600t/d. The land area of the new project is 186 thousand m <sup>2</sup> and total construction area is 88393 m <sup>2</sup> . The project owner also employs an independent professional evaluation agency to conduct evaluation on the factory so as to determine the compensation fees
Measures of resettlement	<ul style="list-style-type: none"> <li>⌚ Pay for the compensation fees</li> <li>⌚ Pay for the fees for movement and loss due to production stop or reduction</li> <li>⌚ Build a new production line with the advanced national level under the support of the resettlement office.</li> </ul>
Budget	Total investment of 370 million Yuan
Implementing agency	resettlement office of Jiamusi.
Time arrangement	2010.4~2012.12

### 6.3.5. Affected Basic Infrastructures

Basic infrastructures such as water conservancy, electricity, roads and etc affected by the construction will be rehabilitated by the borrower according to the principle of "beneficial to local living and convenient for local living" and practical circumstances.

There are many different types of basic infrastructures and their auxiliary components affected by the Line. They include communication lines, power supply lines, roads, irrigation facilities, drainage systems and etc. When basic infrastructures are affected, the construction party will carry out reparations on the facilities or negotiate appropriate compensation with the service facilities provider or representative organizations. During the design of construction plans, the loan providing institution will determine, together with local governments and affected people, and according to actual on-site survey, the rehabilitation methods of basic infrastructures. When the project construction is completed and is to be submitted for approval and acceptance, the rehabilitation of basic infrastructures will be one of the necessary conditions.

The rehabilitation of basic infrastructures affected by the project will be carried out according to the following 3 measures:

- ◆ To be directly rehabilitated by contractors during construction of the railway, for example, village roads, agricultural water channels and etc;

- ◆ The railway line will finance professional teams to carry out relocation for communication facilities, electrical facilities and etc;
- ◆ For some basic public infrastructures such as drinking water towers, illuminating lines and etc, the railway line will make cash compensation to the affected parties. The rehabilitation will be carried out by the affected parties.

### 6.3.6. Resettlement of Vulnerable Groups

For especially impoverished population, single parent households managed by women, Old and elderly people, disabled or sick people with no working capacity and ethnic minorities not living in communities, they will receive fair compensation and resettlement according to regulations and policies, which include relocation subsidies, subsidies for resettlement of labors, social security subsidies for farmers who lost and etc.

Governments of all levels will provide prompt and positive assistance when resettlement of vulnerable groups is difficult. Special attention and assistance will be provided by village committees, governments of townships and project offices to households with financial difficulties, disabled people and five-guarantee households and etc when they are required to relocate. The assistance provided is not only through guidance of methods and providing of materials and financial assistance, but includes the providing of vehicles or financing the hiring of moving companies to assist in relocating ; If these people are not capable of reconstructing their new houses, governments of every level will come forward to assist. There are 2 specific methods: 1. Assist them in constructing their new houses; 2. Use compensation funds to buy within the village new residences of the same size and standard of the demolished houses. Subsidies of 2000-10000 Yuan shall be paid to each household to help them reconstruct their houses. For example, a subsidy of 4000 Yuan shall be given to poor families in Yilan County, a subsidy of 8000 Yuan given to the disabled without economic sources. A subsidy of 2000 Yuan shall be given to residents with lowest living guarantee certificate in Bin county and 10000 Yuan given to the disabled. The subsidy is a special one paid to disadvantaged groups.

Resettlement departments will also take combine rehabilitation measures with existing policies and assistance from the already effective civil relief department, poverty alleviation development department, women's federation and national federation to ensure the rehabilitation of production and livelihood of the vulnerable groups. Although the design of the project has purposely adopt measures to minimize impact on developed regions, but the impact still exists for people who face difficulties in their livelihood due to immigration. Some impoverished village household will lose their income and means of livelihood. These households will receive special attention from officials of immigration, local offices of poverty alleviation and women's federation. Trainings on technical abilities and seeking livelihoods will be provided. If these affected people decide to operate a small commercial business, funds and other supporting mechanisms will be provided.

In addition, prioritize chances of employment during construction period will also provide an alternative means of income. The intents of these supporting measures are positive, but experience shows that the impoverished will not obtain useful resources because of a lot of reasons. Therefore, officials of the project and local governments have integrated with representative

affected villages to ensure that they are qualified for compensation, and use effective resources to provide them with income and raise the standards of their living.

### 6.3.7. The environmental influences on the reserved resettlement planning

The project reserved 16.48 million yuan from the reserved expenses of roadbed sub-project of main project for the resettlement of 206 sensitive locations. The resettlement will only be implemented after the noise and vibration levels at these sensitive points are tested qualified during the testing period when the main project is completed. The compensation and resettlement solutions are the same with that of the nearby main project.

## Chapter 7 Resettlement Implementation Plan

### 7.1. Implementation Procedures

#### 7.1.1. Land Acquisition and Compensation

Collaboration between relevant agencies is needed during land acquisition and resettlement. Detailed procedures are as follows:

- I) the scope and the amount of land requisition should be decided by the Third Railway Survey and Design Institute.
- II) the preparatory group of the Harbin-Jiamusi Railway Passenger Dedicated Line Company will apply to the land management departments for land acquisition right.
- III) confirmation of acquisition application;
- IV) the preparatory group of the Harbin-Jiamusi Railway Passenger Dedicated Line Company will consult with relevant land management department for issues on land application; both sides will sign a land acquisition contract; the land management department will grant land use right to the company.
- V) Local land management departments have field confirmation of the scope and the amount of land acquisition.
- VI) Local land management departments sign a land acquisition contract with the village and township committee.
- VII) allocation of compensation;
- VIII) legal procedures;
- IX) commencement of land acquisition.

#### 7.1.2. production restoration and compensation payment

Resettlement and production rehabilitation will be implemented by the village committee. The working procedures are as follows:

- I) holding a village assembly and discussing the resettlement plan with village representatives;
- II) publicizing the resettlement plan to solicit the views of all villagers;
- III) payment of compensation

### 7.1.3. house demolition and reconstruction

The procedure of house relocation and reconstruction:

- I) the Third Railway Survey and Design Institute will decide the scope of house demolition.
- II) local governments hold field investigations of the number and quality of houses to be demolished.
- III) local governments consult with the village and town committees on the compensation standards; agreement on the compensation standards is signed;
- IV) local governments and the village and town committees sign a contract on house demolition compensation.
- V) town resettlement groups publicize the amount of the demolition of houses, compensation standards and demolition date and solicit the views of the relocatees;
- VI) town resettlement group, village, village group and relocatees sign a demolition contract.
- VII) town or district committees distribute the homestead land to the relocatees;
- VIII) relocatees obtain compensation fee;
- IX) relocatees build new houses and move in new homes.
- X) relocatees demolish their old houses.

### 7.2. schedule

The schedule of land acquisition and resettlement depends on that of the railway construction. The following principles should be followed:

- I) Housing demolition will be carried out by stage, but it must be completed before the starting of the stage's construction. Specific demolition schedule is in accordance with the speed of project construction.
- II) the notice of demolition should be given to the relocatees at least 3 months in advance. Thus, the relocatees could have at least 3 months to reconstruct their homes. The relocatees can stay in their old house before the new one is constructed.
- III) the duration of the relocatees' reconstruction may be extended if necessary;
- IV) land acquisition should be completed before the construction of the Railway Line starts;

V) labor employment is completed before land acquisition;

The construction period of this project is about 4 years. Land acquisition and demolition begin in 2010 and end in 2011. Specific schedule for land acquisition and demolition is in accordance with the speed of project construction. Details are shown in Table 7-1.

**Table 7-1 Schedule for Land Acquisition and Resettlement**

Action	Participant	time
Project preparation and preliminary design	the Third Railway Survey and Design Institute	2009.5-2010.12
Confirmation of Planned expropriated Land (including temporary land acquisition)	Local land management department, local project management department, township committee, village committee, and railway construction unit	2011.2-2011.5
Investigation and confirmation of demolished land (including housing appendages); investigation of the resettlement	Local land management department, local project management department, township committee, village committee, and railway construction unit	2011.2-2011.5
Consultation meeting and resettlement meeting are held	Local land management department, local project management department, township committee, village committee, relocated household, railway construction unit, the Third Railway Survey and Design Institute	2011.2-2011.9
Detailed planning for compensation and resettlement (including new homestead land)); project staff training	Local land management department, local project management department, township committee, village committee, relocated household, railway construction unit, the Third Railway Survey and Design Institute, the Ministry of Railways	2011.2-2011.9

Pre-land acquisition plan	Land and resources department	2010.4
Publicity of the resettlement plan to the relocatees	Local land management department, local project management department, township committee, village committee, relocated household, railway construction unit	2010.8
The signing of land acquisition contract and resettlement contract with villages and relocated households	Local railway bureau, Local land management department, local project management department, township committee, village committee, relocated household	2011.5-2011.9
Allocation of compensation	railway construction unit, Local railway bureau, affected village, relocated household, affected enterprises	2011.6 -2011.10
Resettlement and reconstruction	affected village, railway construction unit, Local railway bureau, affected village	2011.7-2012.5
Rehabilitation of production and living	relocated household, township committee, village committee, railway construction unit	2011.7-2012.5

Resource from: government document and project planning

## 7.3. The appropriation of money

### 7.3.1. Principle for appropriation

- I) All costs associated with land acquisition and resettlement will be included in the total estimated cost of the project. The compensation fees and other costs will be delivered from the preparatory group of the Harbin-Jiamusi Railway Passenger Dedicated Line Company to local Project Coordination Offices. Through them, the money will be allocated to relevant units and personnel;
- II) Housing compensation will be paid to the relocated households before their reconstruction. The payment will be given in several phases;
- III) Compensation for other facilities will be paid 3 months prior to the acquisition
- IV) project management departments at all levels should establish their own finance institution in order to supervise the appropriation of all the funds and ensure all compensations are allocated rightly.

### 7.3.2. Authorities responsible for the management of funds

- I) The authorities responsible for the management of land acquisition compensation include provincial or municipal resettlement office, county or district coordination office, and village committee.

- II) The authorities responsible for the management of resettlement compensation include provincial or municipal resettlement office and county or district coordination office.
- III) all the compensation is allocated from higher authority to lower authority. Authorities at all levels should enforce the financial settlement and audit seriously. They should keep regular inspection and reporting on the allocation and use of funds. Besides, they should react to eventualities and bring up effective remedial measures as soon as possible so as to ensure the normal allocation and use of money.

### **7.3.3. Funds Flow**

- I) In accordance with established compensation policy and compensation standards, provincial or municipal resettlement office will coordinate with the district or county coordination office (Resettlement Office). Both sides will sign the "Housing Demolition Agreement" and "Land Acquisition Agreement".
- II) District or county coordination office will sign a compensation agreement with the village where there are relocatees.
- III) Provincial or municipal resettlement office will grant the approved compensation through banks to district or county resettlement office within the agreed period of time. Then, district or county resettlement office will reallocate the money to the relocatees.
- IV) Provincial or municipal resettlement office will grant the compensation for young crops to district or county resettlement office according to the agreement. Then, district or county resettlement office will reallocate the money to the relocatees.

The process of funds flow is shown in Figure 1.

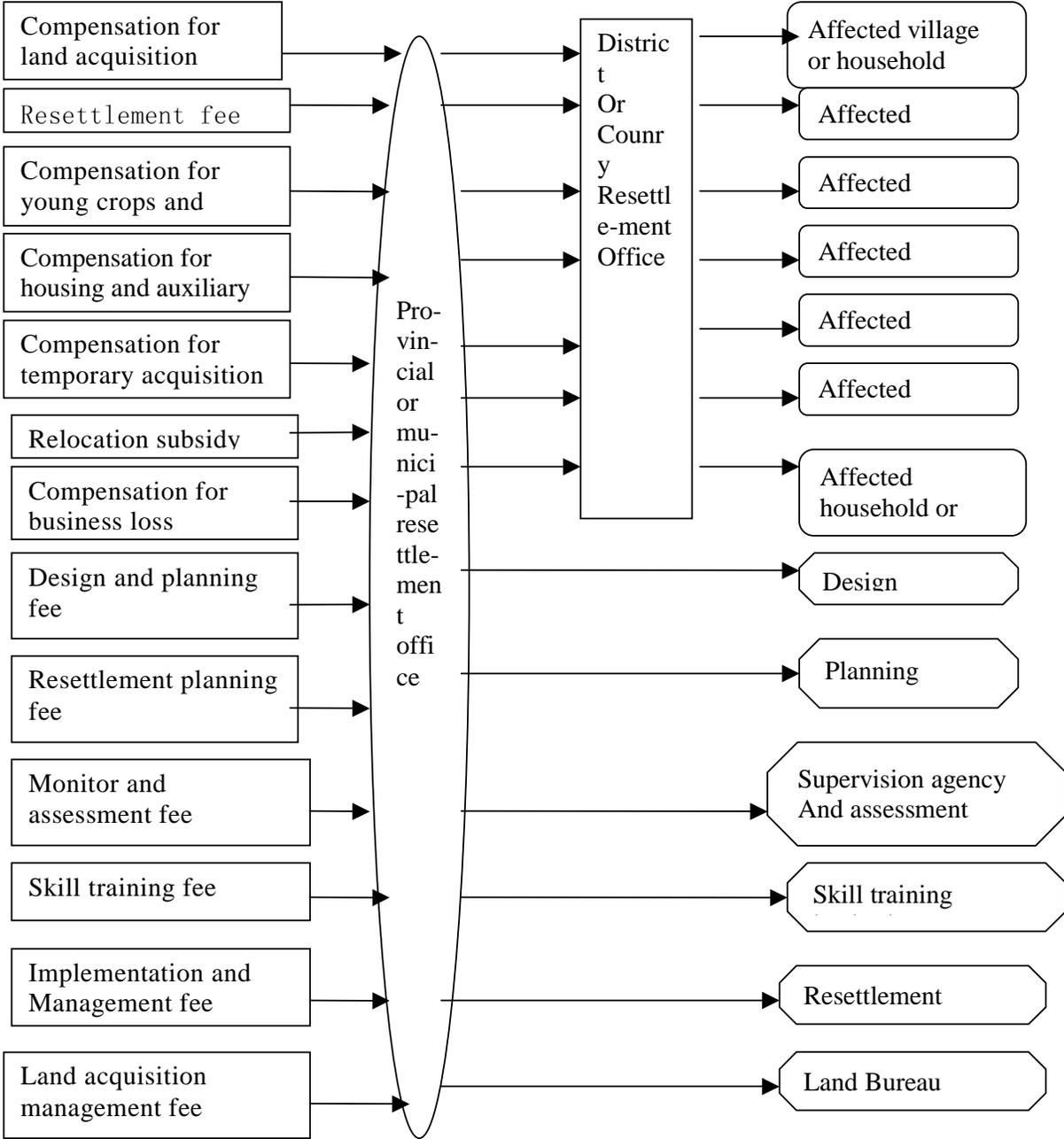


Figure7-1 Funds Flow

## Chapter 8 organization structure

### 8.1. Organization Framework

To complete the work of land acquisition, demolition and resettlement of the project, it is planned to establish a resettlement organization network. The network transverses among the Ministry of Railway (including all contractors and subordinating entities) and local governmental departments. These organizations include land acquisition demolition teams of all contractors and coordination agency at the different levels of local governments

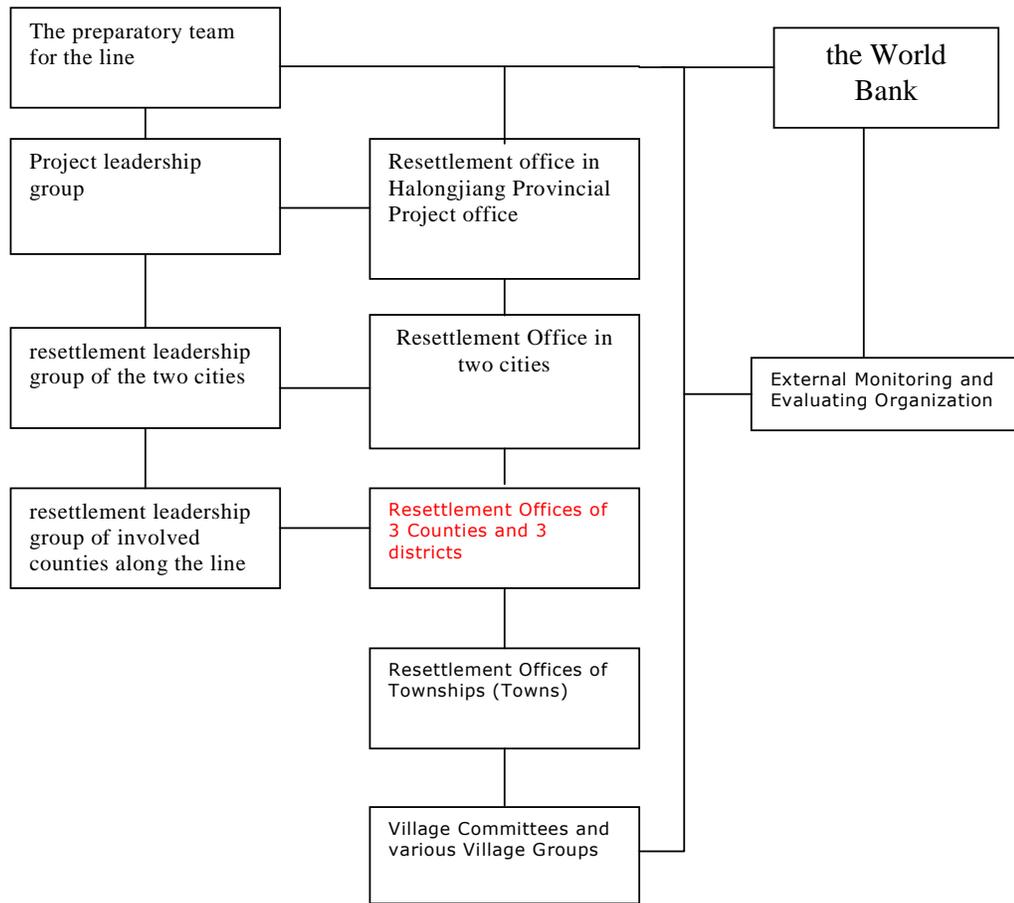
Currently, some local governments along the railway line have set up leadership organizations for the railway construction. The leadership organizations are headed by leaders of governments and members include persons-in-charge of departments. Although there are no such leadership organizations in other areas, local governments of every level expresses that relevant work during the preparation period will be handled by the Development and Reformation Committees of every levels. The local governments will establish offices for supporting the construction work of the railway line or such similar organizations to cooperate and support the construction of the railway line. See Diagram 8-1 for operation of the organizations.

Resettlement organizations under implementing organizations and administrative departments of operations include:

- ◆ Leadership Preparation Teams of Harbin-Jiamusi Railway Passenger Dedicated Line Corporation;
- ◆ Land acquisition and demolition teams of contractors participating in the project;
- ◆ Design members of the Third Railway Survey & Design Institute Group Co., Ltd

Departments or agencies responsible for resettlement:

- ◆ Heilongjiang Provincial Commission of Development and Reform
- ◆ Provincial Department of National Land and Resources
- ◆ Harbin Municipal Commission of Development and Reform
- ◆ Harbin Municipal Bureau of National Land and Resources
- ◆ Jiamusi City Commission of Development and Reform
- ◆ Jiamusi City Bureau of National Land and Resources
- ◆ Department of Development and Reform of involved counties and districts
- ◆ Bureau of National Land and Resources f involved counties and districts
- ◆ Land requisition and demolition team in affected towns and villages



**Figure8-1 Organization Chart for Resettlement Agencies of the Line**

## 8.2. Responsibilities of different organizations

Village committee and villagers groups: To implement village-level plans concerning production and living, social security, agricultural residents changing to non-agricultural residents, vocational training of farmers and non-agricultural residents employment under the guidance and supervision on resettlement of the higher and relevant departments.

Township-level resettlement office: To implement the measurement and confirmation of land, houses and attachments and relevant relocations under the leadership of the county-level resettlement office; to review, approve and supervise the village-level implementation of plans concerning production and living, social security, agricultural residents changing to non-agricultural residents, vocational training of farmers and non-agricultural residents employment.

County-level resettlement office: Be responsible for the compensation, review and approval of the resettlement location construction plans under the leadership of municipal resettlement office; In charge of the instruction and supervision of village-level implementation of plans concerning production and living, social security, agricultural residents changing to non-agricultural residents,

vocational training of farmers and non-agricultural residents employment; at the same time be responsible for the relevant coordination and cooperation issues concerning resettlement during the implementation of the project.

- ◆ County Land Resources Bureau is responsible for the approval of specific land acquisition, and payment of land acquisition compensation;
- ◆ County Labor and Social Security Bureau is responsible for instructing land acquisition affected villages to make plans concerning production and living, social security, agricultural residents changing to non-agricultural residents, vocational training of farmers and non-agricultural residents employment, and shares the responsibility with the affected villages over implementation of the plans;
- ◆ County Agriculture Bureau is responsible for the agricultural skill training of the land affected people;
- ◆ County Construction Bureau is responsible for the approval of the construction plans of demolition and resettlement, and the supervision of the implementation.

City level resettlement offices are responsible for the land acquisition, demolition, resettlement of resettlers and administration of funds of areas within its jurisdiction. They are also to coordinate and cooperate with the railway line to collect and summarize relevant land acquisition statistics, coordination and administration of any problems regarding the project.

Provincial level resettlement leading group (with team leader who is in charge of the province or appointed person as group leader, team members from Committees of Development and Reformation, Department of Land and Resources, Human Resources, Civil Administration, Electric Power Bureaus, Security Departments, Industrial and Agricultural Departments and etc) are responsible for formulating macro policies, negotiating with the Ministry of Railway, coordinating and cooperating with departments of all levels and formulating the compensation standard.

The Transportation Division of the Provincial Committee of Development and Reformation is the standing department of the government responsible for macro administration. It is responsible for the study of development of transportation and important strategic topics and measures of policies; formulate long-term plans for construction of transportation and economic development, planning of specialized projects and annual plans; approve and report to higher levels on basic transportation projects; examine and supervise collection and usage condition of all transportation funds; responsible for the balance of the capability of different transportation models; coordinate key problems amongst the implementation of transportation plans and etc. The Transportation Division shall be responsible for all kinds of coordination and preparation work during the preparation period of this project.

Land acquisition teams of contractors in every construction section along the railway line are responsible for submitting reports of land acquisition for approval. They are also responsible for reporting daily work and progress of the construction to the Department of Land and Resources,

and also handle sudden matters or emergencies. Land acquisition teams of the contractors of the railway line are responsible for planning the use of land for construction. They are also responsible for coordinating work with the Department of Land and Resources and county level Railway—construction Supporting Offices.

Land acquisition teams of the preparation team of Harbin-Jiamusi Railway Passenger Dedicated Line Corporation of the Ministry of Railway are responsible for land acquisition and resettlement of resettlers of the project; negotiating and corroborating with provincial levels Committees of Development and Reformation/Railway Construction Support Offices; paying for the resettlement funds; and conducting internal monitoring within the construction period of the project.

The Centre of Foreign Capital of the Ministry of Railway will be responsible for coordinating the formulation of the resettlement plan of the project. They are also responsible for the administration work of the socioeconomic survey analysis conducted by consulting professionals and the design institutes. The Centre of Foreign Capital is also responsible for coordinating the submission of monitoring reports to World Bank.

Designing teams of The Third Railway Survey & Design Institute Group Co., Ltd are responsible for surveying and making measurements of land to be acquisitioned, houses to be demolished and the number and types of other attachments and basic infrastructures during the stages of research for feasibility, preliminary design and implementation. They are also responsible for formulating the estimated expenses for land acquisition, demolition and resettlement of resettlers.

### 8.3. Higher-level coordination

The Centre of Foreign Capital of the Ministry of Railway is a higher coordination organization. It is responsible for relevant work during the preparation stage of the project and resettlement of resettlers. It is also responsible for monitoring and evaluating work during the implementation and after the completion of the project.

The Preparation Team of the Corporation shall carry out responsibilities of the project owner on behalf of the Ministry of Railways. They are to closely corroborate and cooperate with the Committees of Development and Reformation/Railway Construction Supporting Offices of the Heilongjiang Province; arrange close corroboration work between land acquisition and demolition department with the Railway Construction Supporting Offices, handle matters regarding land acquisition, demolition and resettlement of resettlers. The Preparation Team shall sign the RAP Commitment Agreement with the provincial government on behalf of the Ministry of Railways.

The Heilongjiang Provincial Committee of Development and Reformation, Provincial Bureau of National Land and Resources and Railway Construction Supporting Offices are responsible for negotiating with the Ministry of Railway on major problems; they are also responsible for formulating macro policies on resettlement of resettlers.

Committees of Development and Reformation/Railway Construction Supporting Offices of involving cities are responsible for the implementation of the resettlement plan, coordinate administration work and coordination with the railway departments.

## 8.4. Institutional capability and training

Committees of Development and Reformation of local governments have collected rich and abundant experiences in the construction of large scale basic infrastructure projects such as municipal works and expressways. Relevant personnel have mastered regulations and policies of land acquisition, demolition and resettlement of the state and provinces; Committee of Development and Reformation of Guiyang City, Committee of Development and Reformation of Guilin City and Committee of Development and Reformation of Guangzhou City respectively have actual work experiences in the construction of Gui-Yu Expressway, Xiang-Gui Railway Line – credit from a foreign government, Wu-Guang Railway Line - credit from World Bank, Xia-Rong Expressway, Luo (Yang)-Zhan (Jiang) Railway Line – credit from World Bank and Guang (Zhou)-He (Zhou) Expressway. They are quite familiar with World Bank Policies on Involuntary Resettlers. It is apparent officials of governments of prefectures are familiar with laws of the People's Republic of China and the requirements of resettlement and compensation policies of World Bank. These officials clearly knows that there is one target reflected from the laws of the People's Republic of China and World Bank Policies and that is the living standards of the affected people will at least be maintained the same after the construction of the project as prior the construction.

To ensure the implementation of the resettlement and the benefit of the affected population, it is necessary to provide specialized training for the implementing organizations, local Railway Construction Supporting Office and members of other organizations to strengthen their planning and administrating capabilities. The training work will be taken by GY-GZ Railway Corporaion under the instruction of The Centre of Foreign Capital of the Ministry of Railway. The qualified experts with the large experience of resettlement action in World Bank projects will be retained as instructors. The trainers can be divided into 2 kinds: one group can be organized for involved personnel of provinces and cities by the 3 provinces themselves; the other group can be organized for involved executors of every county by the county itself before implementation of this project. Main contents of the training include

- ◆ Relevant state and local laws and regulations regarding land acquisition and immigration
- ◆ World Bank's policies and requirements.
- ◆ RAP
- ◆ Procedure and experience of resettlement and land acquisition

The expense of resettlement organization for governments of all levels can be from: one should be financial allocation from local government as a part of governmental function; the other can be special management fee of this project, normally 2-3% of the total cost for resettlement. The training fee is also included in the special management fee. Detailed training plan seen in Table 8-1

**Table 8-1 Training plan for major staff in resettlement agencies**

Time	Venue	Hosting organization	Trainers	Participants	training programs
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**Resettlement Action Plan**

2011.2	Heilongjiang province	Preparatory group of the Har bin-Jiamusi Railway Passenger Dedicated Line	World Bank officials and experts, local experts	Leaders and major staff responsible for resettlement in the provincial, city and county level	1.Laws and regulations on land requisition and resettlement at the national and local levels 2. policy and regulations of the world bank 3. RAP 4. procedures on resettlement
2011.2	each affected District or county	Resettlement agency in each affected districts or county	experts	Leaders and major staff responsible for resettlement in affected towns and villages	1.Laws and regulations on land requisition and resettlement at the national and local levels 2. policy and regulations of the world bank 3. RAP 4. practical experiences introduction

## Chapter 9 Consultation and Grievance Redress

### 9.1. Consultation

#### 9.1.1. Stakeholders

##### 9.1.1.1. Identification of project stakeholders

In accordance with the feasibility study conducted by the Third Railway Survey and Design Institute Group Limited (TSDI), stakeholders of this project are as follows:

- ◆ Ministry of Railways: Project owner, funder, and the World Bank loan borrower
- ◆ The Harbin-Kiamusze Passenger Railway Line Preparatory Organization: The special project implementation agency set up by the Ministry of Railways
- ◆ Heilongjiang provincial People's Government: one of the project owners, invest with its local fiscal revenue on land acquisition, demolition and resettlement
- ◆ Project-affected cities, counties / districts and township governments: be responsible for the specific implementation of land acquisition, removal and resettlement in respective areas;
- ◆ World Bank: provide loans for the project;
- ◆ Project-affected enterprises and institutes: refer to project-affected enterprises, institutions and commercial shops, etc.;
- ◆ Project-affected villages and individuals: include village collectives and individuals affected by the land acquisition, demolition and resettlement;
- ◆ Constructor: the project contractor responsible for the construction of the project.

##### 9.1.1.2. Analyses on major stakeholders

###### ① Ministry of Railways

Ministry of Railways is the highest administrative department in charge of the construction, development, operation and management of China's national railway transport. In this project, the Ministry of Railways is the main funder as well as the World Bank loan borrower, shouldering the responsibility to supervise and manage the implementation of the project.

###### ① The Harbin-Kiamusze Passenger Railway Line Preparatory Organization:

The Harbin-Kiamusze Passenger Railway Line Preparatory Organization is set up specially by the Ministry of Railways to manage the project. The Preparatory Organization is responsible for the project bidding, supervision over the implementation of the project contractor. The organization

also undertakes the task to coordinate with local governments and relevant agencies to jointly fulfill the land acquisition, demolition and resettlement during the implementation of the project.

Land acquisition, demolition, resettlement and construction are major activities among the functions of the Preparatory Organization, which is directly related to the benefits of the project-affected collectives and individuals. The Preparatory Organization, on the one hand, must perform its functions to strictly supervise the safety of the project, regulate construction, and protect the production and living facilities of the affected villages and villagers. Once the facilities are used by the project, the organization should ensure that reasonable compensation is made, facilities are returned immediately; once the facilities are damaged they should be compensated accordingly and restored. Also the organization, together with the local government, shall properly carry out the land acquisition, demolition and resettlement, and ensure the affected farmers get the full compensation. On the other hand, the organization should accept the supervision of the Ministry of Railways, local government and villages along the line; ensure to perform its functions in accordance with national and local policies and regulations; stick to the principle of "unlimited inform and consult in early phase", properly handle all possible problems concerning the rights and interests of the affected villages and villagers along the line during construction, protect the interests of the affected collectives and individuals as well as the project image.

### ④ Heilongjiang provincial People's Government

The provincial government is the investor as well as beneficiary of the project, taking its local fiscal revenue on land acquisition, demolition and resettlement as investment. The government not only shoulders the cost of land acquisition, demolition and resettlement, ensure the construction team's implementation, but also shoulders the important duty to protect the rights and interests of the village groups and villagers. Therefore, the government should emphasize the coordination between the constructor and the affected collectives and individuals along the line, and properly solve any possible disputes and conflicts. It should also pay the affected farmers the full compensation of land acquisition, demolition and resettlement, arrange homesteads timely. The government should strengthen communications and coordination and provide proper solutions to sensitive compensation standard problems concerning the vital interests of the affected collectives and individuals; it should attach great importance to any problems left behind in the past and may interfere the current project. Through consultation with relevant parties the government should provide a practical solution and reduce obstacle for the grassroots government.

Through field investigation it is learned that the provincial government has profound experience in implementing or coordinating of the construction of railways, highways, high-voltage transmission lines, pipelines and other important projects. The Provincial Railways Construction Office, specially set up to do preparatory work will also contribute to a skilled team and extensive project experience.

### ④ Project-affected cities, counties / districts and township governments

Project-affected city, county and township governments are beneficiaries of the project, and also shoulder the territorial responsibility for the preparation and construction in every stage of the project. Their major tasks are to ensure the specific implementation of land acquisition, demolition and resettlement, the release of compensation, to keep order of the construction, to mediate any disputes and conflicts caused by the project, and to maintain local social order, and the rights and interests of affected businesses and residents and so on. Though these governments of different

levels enjoy little power but shoulder very important responsibilities. Therefore, on the one hand, they must observe national and local policies and regulations and rightly perform their duties; on the other hand, because they're familiar with local customs and conditions as well as the laws, regulations and policies, they must make full use of these advantages to play their roles in coordination, communication and conflict resolution.

Through field investigation it is found that cadres appointed by government of all levels to assist the project, especially those appointed by the governments they're working in, have very good understanding of the project. They are well aware of potential risks and the difficulties to perform their duties. Besides they have deep understanding of local customs and conditions and are very familiar and trusted by the masses. These are the important precondition for them to do contributions to the project.

### ④ World Bank

World Bank is one of the loan providers of the project. Its contribution to the project is not limited to the loans. World Bank will specially set up a team to help owners implement the project and reduce the risks of loans. With its relevant operation policies and extensive experience in international projects, the team will strictly supervise and instruct the preparation, implementation of the project and also the operation and management of the later stages of the project. World Bank insists its security policies be strictly carried out in the whole process, which not only helps improve the standards of the project both in policies and operation, but also plays an important role in reducing the potential risks of the project.

Project-affected villages and individuals: include village collectives and individuals affected by the land acquisition, demolition and resettlement;

Project-affected collectives refer to village groups by land acquisition, and enterprises and institutions affected by demolition. Project-affected individuals refer to villagers, urban residents, employees in enterprises and institutions and students affected by the project. The collectives and individuals can continuously enjoy the benefits of the project, such as convenient transportation and local development, and at the same time bear the potential negative impacts of the project directly.

Through field investigation, it is found that residents along the line, particularly rural residents generally have relevant project experience in early stage, and are informed of both positive and negative impacts of the project. They trust local governments and cadres, hoping to solve disputes and conflicts through equal consultation and negotiation. They believe the village committee can represent them, knowing how to protect their own interest through appealing to the government, other legal bodies, having a universal understanding and support of the project. They are generally concerned with the following issues: Can the affected farmers be fully compensated in time? Can homesteads be arranged timely and rightly for the households whose houses are demolished? Will their living standards be maintained and improved? Will relevant information be disclosed timely? Will their suggestion be respected and adopted? Will the project bring any hidden dangers to production and living and so on.

### ④ Constructor

Currently the project is still in the early stage of preparation. The owner said it would carry out public project bidding strictly observing the national and sectoral policies and regulations to ensure

the contractor is qualified. It will also strengthen the supervision and management of the contractor. Basing on the principle to benefit the communities and residents, the owner also it will ask the contractor to give priority to local surplus labor in the recruitment and give priority to local resources and products when choosing raw materials.

### 9.1.2. Stage, ways and contents of public participation

Features of public participation in this Project are:

- Public participation during the project preparation stage;
- Public participation during the implementation of land acquisition and resettlement;
- Public participation during construction; and
- Public participation for monitoring and appraisal after Project completion. .

Contents and methods of public participation are respectively reflected through the following ways:

- Consultation;
- Resettlement meetings;
- On-the-spot investigation of the potential loss of material possessions and socioeconomic conditions;
- Comments and evaluation on the standard of compensation;
- Choice of locations for new buildings;
- Building of new houses by affected households;
- Investment of collective compensation; and
- Income restoration assistance, advice and training for affected households.

Contents in the participation are mainly as follows:

village level: i) Village group leaders and villager representatives have been involved in investigating and confirming the amount of land to be acquired and the attachments. The participants in these investigations were the household heads, villager representatives, village cadres, the town RSOs, and the railway SDIs; iii) After the investigation is completed, the details of the expected loss of land, buildings, crops, etc. will be verified and confirmed by the affected persons. Compensation agreements will be signed by all the parties concerned with copies retained by the affected households, the RSOs of local governments, and the railway contractors; iii) The location of the new house site has significant impact on the villager's future life and on his/her other business activities. The villagers usually hope to build their housing on both sides of highways so that they may engage in business. The Project will respect the villagers' expectations, provide them with opportunities, and allow them a great deal of freedom in choosing new home sites. The Project also will give the affected villages sufficient room for adjustment and amelioration of their moving schedule which will reduce the need for temporary housing. Establishment of a set of monitoring mechanisms is directed against the procedures of practical implementation circumstances.

Public participation is one of the most important and indispensable steps in the project survey and design. Following training, the project survey and design units will go to the construction sites and conduct in-depth investigations. They hold many types of negotiation and consultation meetings to gather comments and demands on the Project from all parties along the proposed alignment. Through many consultations, including signing contracts with the concerned departments of local governments along the rail line, solutions are found to issues, which must be settled before Project construction begins, such as water supply sources, drainage, sites for fill and disposal of spoil, and stone and sand supply. In addition, the survey and design specialists discuss issues of district interest and work out plans to handle these issues.

Public participation is also an important aspect of Project evaluation. During compiling of the Resettlement Plan for the project, in-depth investigations were conducted by the Consultant to identify issues of common concern to the affected people. Questionnaire-based surveys and interviews along the rail line were conducted. People from provinces, prefectures, counties, townships and affected villages took part in the investigations and actions, so that they became clear about the Project. The households interviewed were cooperative and provided detailed data on the size of family, the area of household land, household income and expenditure, housing condition and the number of durable items. Households also indicated the impact they expected from land acquisition and housing demolition, and expressed their opinions about resettlement and their attitudes toward the construction of ZXR. This process will continue for the preparation of detailed resettlement plans and for resettlement implementation.

The Project construction process is also the process of public participation. During construction, the rural farmers and urban citizens along the alignment will have job opportunities and participate in the construction. The materials used for the construction may be procured from local sources, which will have a positive impact on the local people, industries and enterprises.

During and after the completion of the Project, the monitoring and the appraisal activities will also need public participation, in order to ensure that entitlements have been received as planned. The surveys and assessment for monitoring and appraisal will need public participation and support.

As the resettlement census work program is implemented, public participation will be included as a component, that will be followed by continued public participation as a component of the resettlement program, and that will be followed by public participation as a component of the monitoring and evaluation program.

### **9.1.3. participation in preparation stage**

#### **9.1.3.1 Meetings in the Preparatory Stage**

A lot of conferences were held by State, provincial and local departments during the design period (see Tables9-1). A lot of conferences were held also for representatives of enterprises. They represent enterprises that will benefit from the construction and operation of the project. The most important is the ascertaining of affected villages and urban neighborhoods. Aside from holding conferences with village residents, conferences were also held for representatives of schools and other institutions that may be affected. There were a series of problems that were discussed and evaluated regarding the number of affected people, institutions, schools and enterprises. The extent

of impact was also discussed. For example: the number of people to be relocated; the amount of land to be acquisitioned, the amount of compensation to be paid. In August 2008, the responsible institute for compiling the RAP made surveys on 133 affected households, which did not include the surveys conducted by the third Railway Survey & Design Institute Group Co., Ltd

**Table 9-1 Meetings and surveys on stakeholders**

Date	District	Organization	Participants	Number of persons	Content
2009-6-20	Harbin	different offices in municipal government and design institute	Person in charge in different county offices and technical persons in design institute	22	Opinions on route direction and location of new stations
2009-6-26	Yilan County	different offices in county government and design institute	Person in charge in different county offices and technical persons in design institute	26	Opinions on route direction and location of new stations
2009-7-3	Fangzheng County	different offices in county government and design institute	Person in charge in different county offices and technical persons in design institute	30	Opinions on route direction and location of new stations
2009-7-9	Bin county	different offices in county government and design institute	Person in charge in different county offices and technical persons in design institute	25	Opinions on route direction and location of new stations
2009-6-25	Jlamusi	different offices in municipal government and design institute	Person in charge in different offices and technical persons in design institute	31	Opinions on route direction and location of new stations
2009-6-10~8-15	districts along the line	affected villages, office of national land and resources and design institute	affected villages, representative of design institute and bureau of national land and resources	1850	Opinions on railway construction and land requisition and demolition
2009-10-14	Harbin	City burea of national land and resources, women federation, bureau of civil affairs and design institute	Person in charge in different offices and technical persons in design institute	11	Opinions on railway construction and land requisition and demolition
2009-10-15	Bin county	burea of national land and resources, women federation, bureau of civil	Person in charge in different offices and	34	Opinions on railway construction and land requisition

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		affairs and design institute	technical persons in design institute		and demolition
2009-10-17	Fangzheng County	Harbin city burea of national land and resources, women federation and design institute	Person in charge in differnet offices and technical persons in design institute	28	Opinions on railway construction and land requisition and demolition
2009-10-18	Yilan County	burea of national land and resources, women federation, bureau of civil affairs and design institute	Person in charge in differnet offices and technical persons in design institute	34	Opinions on railway construction and land requisition and demolition

Data source: data compilation provided by design institutes

In the process of the preparation for land acquisition, housing demolition and resettlement, consultations and meetings have been conducted by the Consultant and will be conducted during the Project's implementation. Consultations will be mainly held between:

- ◆ MOR and the affected provinces, prefectures and county governments;
- ◆ The railway contractors and prefectures, and county governments along the rail line;
- ◆ The local RSOs, local Bureaus of Land and Resources and the affected villages and groups;
- ◆ The local RSOs, villages/groups and farmer households.

The content of the consultations will mainly involve the compensation standard for land acquisition and building demolition, the location and the means of new building construction, the schedule of removal, the resettlement methods, etc.

In the preparation and implementation stages of land acquisition and building demolition for the Project, the local government and the affected people, the railway support institutions at different levels, the railway sector and the local sectors will constantly hold various types of meetings, including:

- ◆ Villager meetings to be held in the villages or groups;
- ◆ Consultation meetings with the affected families to be held at the county, the township and the village levels;
- ◆ Meetings of the village cadres and villager representatives to be held at the county and the township levels;
- ◆ Negotiation meetings on the resettlement plans to be held between the RSOs at the county and the township level;
- ◆ Working level meetings to be often held between the RSOs and removal groups of the Project contractors; and

- ◆ Meetings to be held between the prefecture RSO and the county RSO.

### 9.1.4. Survey on Public Opinions

In October 2009, the organization responsible for formulating the RAP conducted a relatively large scale survey on opinions of the society. Through random taking of samples, the opinions of 135 people were collected. This is to identify with the opinions of the public in relevant villages with regards the project construction, land acquisition, demolition and resettlement. See Table 9-2 and 9-3 for results on relevant public and resettlers' opinions.

On the overall, majority of the people acknowledged the information that the project is to start construction and expresses they are in favor of the project construction. Over half of the survey individuals (72.34% understood the GY-GZ Railway Line project is to be constructed, but there are still some who did not understand (10.64%); A large number of people expresses they are in favor of the project construction (82.22%) while 8.89% disapproves. 8.89 are indifferent;

The people also clearly expresses that they are worried about the impact of land acquisition and demolition on their lives. When questioned about impacts, 50.79% of the people considered the project will improve transportation conditions and traveling will become more convenient; 23. 23% of the people considered that future cost for traveling to coastal areas will be cheaper by train, 19. 56% of the people considered that project will affect the local investment environment: attract outside investors to invest locally and thus create more chances for the people (see Table 71 for details);

As compensation policies for land acquisition and demolition have not be finalized, a portion of the surveyed targets (23. 19%) expressed they understood relevant compensation policies for land acquisition, but ½ of the people (37. 22%) are not very clear on the policies; nevertheless, more than half of the people (53. 31%) expressed that they understood methods of appeal to safeguard their legal rights.

Surveyed targets put forward various suggestions while revolving around their worries (see Table 73, 75 and 76 for details). 22. 87% of the people hoped the railway line will not possess their land and houses. 10.08% of the people hoped to be compensated and resettled according to relevant policies of the State, 5. 92% of the people suggested increasing the existing compensation standard, while 4 of the people hoped to be given reasonable compensation and resettlement for land acquisition and demolition, and be provided new residential plots for the demolished. It is obvious that the people are very concerned of whether compensation for land acquisition and demolition would be according state policies and would be promptly made according to procedures. They requested that resettlement departments ensure the living standards of the affected people, to be resettled where transportation is convenient and to ensure social security measures for people who lost their land and etc. These suggestions reflect that the public has high hopes regarding resettlement for land acquisition and demolition.

**Table 9-2 Questionnaire of Public Opinion and Suggestions**

Unit: person,%

No	Questions	Options	□□□
1	Are you clear that the project will be constructed soon?	(1) clear	72.34%
		(2) not so clear	17.02%

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		(3) unclear	10.64%
2	How do you know about the project?	(1) documents issued by the upper government	0.00%
		(2) from other residents	83.33%
		(3) from TV and radios	16.67%
		(4) mpacts on local investment environment	0.00%
3	Do you agree to the construction of the project?	(1) agree	82.22%
		(2) disagree	8.89%
		(3) not to matter	8.89%
4	Who do you think the project will benefit? (multi-choice allowed) ?	(1) the state	44.44%
		(2) the state	17.46%
		(3) the individual	38.10%
5	What do you think is the maximum benefit to you?	(1) passenger transport	57.63%
		(2) goods transport	13.56%
		(3) possibilities of employment and becoming rich	5.08%
		(4) impacts on local investment environment	6.78%
		(5) development of township enterprises to improve household incomes	11.86%
		(6) no benefits	5.08%
6	What kind of impacts will be caused by the line?	(1) no impacts	20.00%
		(2) impacts on traffic conditions caused by construction	3.64%
		(3) economic losses caused by housing demolition	54.55%
		(4) reduced economic revenues caused by land requisition	12.73%
		(5) other impacts	9.09%
7	What is the most favorable approach of land requisition and resettlement	(1) monetary	49.09%
		(2) land readjustment	30.91%
		(3) social assurance	1.82%
		(4) others	3.64%
8	式your actual approach of land requisition and resettlement	(1) monetary	57.78%
		(2) land readjustment	20.00%
		(3) social assurance	0.00%
		(4) others	4.44%
9	What is the most favorable approach of demolition and resettlement	(1) concentrated resettlement	4.35%
		(2) unconcentrated resettlement	23.91%
		(3) monetary resettlement	50.00%
		(4) new housing replacement	21.74%
		(5) others	0.00%
10	Your actual approach of demolition and resettlement	(1) concentrated resettlement	4.65%
		(2) unconcentrated resettlement	25.58%
		(3) monetary resettlement	32.56%
		(4) new housing replacement	23.26%
		(5) others	4.65%
11	What's your requirements on compensation funds	(1) pay in time	11.11%
		(2) pay in full amount	75.56%
		(3) compensation standard requiremen	4.44%
12	Are you clear about land requisition and demolition compensation policies	(1) clear	4.55%
		(2) not so clear	25.00%
		(3) unclear	70.45%
13	Do you know how to appeal when	(1) clear	35.56%

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	your legal rights are invaded in the process of land requisition and demolition?	(2) unclear	64.44%
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Data source: field investigation

Table 9-3 Comments and Suggestions from the Public on the Line

No	Questions	options	percentage
1	Housing conditions	below 50 m <sup>2</sup>	3.51%
		50-80 m <sup>2</sup>	9.65%
		80□120 m <sup>2</sup>	12.3%
		1205m <sup>2</sup> above	89.54%
2	type of housing	Purchase of commercial houses at own expenses	10.49%
		publicly owned housing	0
		Building of houses on owned house sites	89.51%
3	Prices of local commercial houses□Yuan/m <sup>2</sup> □	Below 2000	1%
		2000□4000	98%
		4000□6000	1%
		Above 6000	0
4	Preferred payment approach of compensation fees	Paid by railway bureaus through local government	0
		directly paid by railway bureaus	100%
		Others	0
5	expected living standard after resettlement	improve moderately	100%
		keep unchanged	0
		Decline moderately	0
6	If removal and resettled, you expect	resettlement in the nearest possible areas	95%
		Relocation in other areas	1%
		to their own preferences	4%
7	If unsatisfied with land requisition, removal and resettlement, your preferred measures	Appeal to upper governments	85.63%
		Obstruct the construction	1.32%
		Protect rights by legal means	13.05

Data source: field investigation

### 9.1.5. Participation plan in implementation stage

During the period of negotiation on land acquisition, every village or group will hold the following two types of meetings:

- ◆ Meetings of the villager representatives held by the county or the town land administration departments. The themes of such meetings are to make clear the significance of the Project; the area, location, and the time of land acquisition; and the state and province laws, policies and regulations about land acquisition. Such meetings are often held during the consultation and negotiation on land acquisition for a project.
- ◆ Meetings of all the villagers to be held by the village council with all the villagers or the heads of households as participants at one month before making decision. The themes of these meetings are to explain State and provincial regulations and policies; the area and amount of land acquisition; the standards of compensation; measures of rebuilding and people resettlement; rehabilitation plans for income restoration; allocation of compensation between the collective and affected households; investment of collective compensation; livelihood training needs and plans; and other issues identified during the consultative process. At each meeting opinions, suggestions, and complaints from the villagers are to be collected. Such meetings are often held during the period of land acquisition, implementation, and signing of contracts on compensation.

A public forum is to be arranged for affected people and relevant beneficiaries at least one month prior the implementation of the resettlement. **The area of the expropriated land and the amount of land attachment of each household will be confirmed. Details should be noticed publicly; each party should sign to confirm the amount of the physical impact of announcement; after the area of the expropriated land and the amount of land attachment are confirmed and agreed, both sides will sign on a compensation contract; compensation for expropriated land will directly allocate to the affected villagers according to the compensation contract signed by both sides. The Ministry of Railway, local government resettlement offices and the World Bank will regularly supervise the detailed planning process at village level and their implementation. These will also be regularly covered in the project internal progress report as well as the independent monitoring reports. Above process ensures full consideration for the views of the affected villagers, and benefit of affected villagers are guaranteed.**

## 9.2. Information Dissemination

Publicity and information dissemination on the Project opening started at the Project preparatory stage. The purposes and significance of the Project, the time and location of the Project construction components, as well as the relevant State policies concerning land acquisition and housing demolition by the governments at the provincial, prefecture, municipal and county levels will be all publicized in various media, such as newspapers, broadcasting, TV, and magazines. These activities are aimed at letting the local residents know the relevant issues concerning land acquisition and building demolition for the Project.

Unified land acquisition and housing demolition notices are publicized to all the affected people before implementing the demolition and relocation one month before implementation of land removal. The purpose is to make the public become familiar with the issues related to land acquisition and housing demolition, such as time and area of land acquisition, policies of compensation and resettlement, regulations of residence registration, and the prohibition on planting unplanned crops.

A Resettlement Information Booklet is being prepared and will be distributed to all affected villages through the land acquisition and resettlement supporting offices of local government one month before implementation of RAP. The Booklet will include a detailed description of many contents such as the scope, procedures, principles, unit values of compensation, and grievance mechanisms associated with the Project's land acquisition, building demolition, and resettlement.

The resettles' meetings are another essential way of message dissemination. The purpose of such meetings is to let the participants know first-hand the implementation of land acquisition, policies and standards of compensation, the strategies of housing rebuilding and resettlement, as well as to collect feedback information from the participants.

## 9.3. Appealing

Resettlement is a complicated task. It is inevitable that the affected persons will have grievances and complaints during the resettlement implementation. For the purposes of guaranteeing the interests of the affected persons, the resettlement offices will establish a set of highly transparent and simple procedures for collecting and handling grievance and complaints, so as to objectively, justly and efficiently deal with the grievances and complaints of the mass and to ensure the smooth progress of the resettlement.

### 9.3.1. Procedures for complaints and appeals

- ◆ Collecting grievances of the affected persons from the report of the local ROs, including grievances of the mass, the progress, working measures and existed problems.
- ◆ All contractors must submit construction journal to the project owner every week, from which information on whether there is any people affecting the construction can be known.

- ◆ Problems on land acquisition and relocation coordination discovered by Guiguang Company in field inspection.
- ◆ Relevant information reflected by IMO.
- ◆ Letters and calls of the affected persons.
- ◆ Relevant information and problems reflected from local ROs at all levels.
- ◆ Relevant special problems reflected by the audit and disciplinary inspection divisions.
- ◆ Special investigation of internal and external monitoring.

### 9.3.2. Procedures for complaints and appeals

#### 9.3.2.1. The First Stage

The affected persons may present their grievances to the village committee or the local ROs at township level orally or in a written form. For oral grievances, the village committee or the local ROs at township levels must keep a written record and provide a clear reply within two weeks. When it involves serious problems needing to be reported to RO at a higher level, the village committee or the local ROs at township levels must endeavor to obtain a reply from the RO at the higher level within two weeks.

#### 9.3.2.2. The Second Stage

In case that reply at the First Stage does not satisfy the complainants, the complainants may appeal to the RO at a higher level within one month after receiving the reply at the first stage. RO at the county or district level must make a decision within three weeks.

#### 9.3.2.3. The Third Stage

In the event that the affected persons are not satisfied with the reply of the ROs at district or county level, they may appeal to the PRO within one month after receiving reply at the second stage. The PRO shall make a reply within four weeks.

#### 9.3.2.4. The Fourth Stage

In case that the affected persons are not satisfied with the reply at the third stage, they may appeal to the civil court within 15 days after receiving the reply from the PRO.

### 9.3.3. Principles to deal with grievances and complaints

The ROs at all levels must conduct field investigation and research about the grievances of the public, and provide objective and just resolutions in line with the principles and standards specified in the national laws and the Resettlement Action Plan after full consideration of the public's opinions and after patient consultation. Complaints beyond their capability of handling must be submitted to ROs at the higher level and they shall lend a hand in the investigation.

The appealed has the right of further appeal on condition that the decision-making institution does not reply within the specified dates.

In the process of resettlement, women may have some special grievances and complaints, so PRO has planned at least one female worker in every resettlement group to be responsible for the women's grievances. The local government and the NGOs such as Civil Administrative Bureau and the Women's Federation will also supervise the resettlement activities and safeguard the APs especially the women's rights.

### 9.3.4. Contents and measures of reply

#### 9.3.4.1. Contents of reply

- ◆ A brief of grievances of the complaints;
- ◆ Results of fact-investigation;
- ◆ Principles and standards in the relevant national regulations and RAP;
- ◆ Resolutions and references
- ◆ The complainants have the right to appeal to ROs at a higher level and the civil court. Guiguang company shall pay the legal costs;

#### 9.3.4.2. Measures to reply

- ◆ Reply to complaints on exceptional cases shall be delivered to the complainant in written form.
- ◆ Reply to complaints that frequently occur shall be made public to the villages or groups the complaints belonged to via holding villagers' meetings or issuing documents.
- ◆ Whatever the forms of reply, they must be delivered to the resettlement offices which the complaints belonged to.

### 9.3.5. Complaints recorded and subsequent feedback

During the process of resettlement implementation, ROs shall record the complaint and its resolution, and report it to the PROS in written form monthly. The each PROS shall look into the complaint resolution records and conditions regularly. In order to standardize the records about complaints and register the resolution completely, GUIGUANG COMPANY has formulated a form sheet to record or register the complaints and its resolution is formulated below.

**Table 9-4 register of emigrant**

Name of complainant		Filing office	
Date		Receiving point	
Complaints content			
Problems required to resolve			
Options to deal with the problem			
Actual result of problem resolution			
Signature of complainant		Signature of recorder	
<p>Note:</p> <ol style="list-style-type: none"> <li>1. The recorder shall register honestly the content of complaint and the complainant's requisition;</li> <li>2. No obstruction or obstacle is existed in the process of appeal;</li> <li>3. Options taken to deal with the problem will be replied to the complainant within scheduled period.</li> </ol>			

## Chapter 10 Monitoring and Evaluating

To ensure implementation is according to the resettlement plan and realize the appropriate resettlement of resettlers, the project will conduct monitoring of the implementation of land acquisition, demolition and resettlement of resettlers. The monitoring work is conducted separately concurrently: internal monitoring by resettlement organizations and independent external monitoring.

### 10.1. Internal Monitoring

#### 10.1.1. Intent and Task

The target of internal monitoring is to maintain supervision responsibility of the resettlement organs as specified in the RAP during implementation, and ensure that the project can be constructed smoothly and the resettlers' legal rights will not be impaired. The auditing department of the provincial government will independently exercise the auditing monitoring function over concerning units under its jurisdiction in accordance with the laws and regulations. The superior units assume the responsibilities for monitoring their subordinates so that the RAP principle and schedule can be followed.

#### 10.1.2. Organization and Personnel

Internal monitoring of the project land acquisition and relocation resettlement work is managed by GY-GZ Railway Line Project Construction Headquarters. The actual monitoring will be implemented by offices of the project construction leadership teams (headquarters) in each county (city and district) and each village. To effectively implement the function of internal monitoring, resettlement institutions of every level has provided special personnel to undertake this work. They will participate in the formulation of the RAP, control and monitor the implementation and progress according to the RAP.

#### 10.1.3. Contents of Monitoring

The main contents to be monitored for internal monitoring are shown as below:

- Allocation and utilization of the resettlement compensation
- Selection and allocation of new house plots
- Rebuilding of private houses
- Support to vulnerable groups
- Employment of the PAPs
- Quality and quantity of new developed land
- Adjustment and distribution of the land
- Transfer of the land subsidy fees

- Relocation of private shops (If any affected)
- Restoration of special facilities
- Scheduling of the work above mentioned
- Implementation of the policies in RP
- Public participation and consultation during implementation
- Staffing, training, work schedule and working effectiveness of resettlement offices at all levels.

#### 10.1.4. Procedures of Implementation

Implementation procedures of the internal monitoring work is as follows

- I) Harbin-Jiamusi Railway Passenger Dedicated Line Corporation will carry out an internal monitoring mechanism to examine activities of resettlement, build a basic database for land acquisition, demolition and resettlement, and monitor the preparation and implementation progress of resettlement of resettlers.
- II) During the implementation period, resettlement institutions of every level are to build a resettlement information base, and renew the information according to the practical conditions. They are to promptly report records of activities and progress of implementation to higher authorities to maintain the continuous monitoring of the implementation of resettlement.
- III) In the above mentioned monitoring mechanism, regulated information tables will be formulated. To realize the continuous flow of information from village level to offices of resettlement, main components of the internal monitoring system: offices of construction leadership teams (headquarters) of counties (cities and districts) and resettlement working groups of townships (towns and neighborhoods), will conduct periodical examination and verification.

### 10.2. Independent External Monitoring and Evaluating

#### 10.2.1. Intent and Task

External monitoring and evaluation mainly carry out periodical monitoring and evaluation of land acquisition, demolition and resettlement activities outside of the resettlement institutions to evaluate if the target of resettlement has been attained. The external monitoring work is to provide evaluation, opinions and suggestion on the whole process of resettlement and circumstances of the rehabilitating the production and living standards of the resettlers. The external monitoring work is also to provide an early warning system for the project management departments and to provide channels for reflections for the opinions of the resettlers.

The external monitoring organization will shoulder the responsibility of being a consultant for coordination teams for land acquisition, demolition and resettlement of resettlers of the Ministry of Railway and GY-GZ Railway Line Corporation. The external monitoring organization will follow,

monitor and evaluate activities for implementation of the resettlement plan. The external monitoring organization will also provide opinions and consultations on decision-making.

### 10.2.2. Organization and Personnel

The external monitoring organization will implement all basic monitoring work through providing technical assistance to the Ministry of Railway or GY-GZ Railway Line Corporation Limited and survey of the immigration and the living standards of the affected people.

### 10.2.3. Main Indexes of Monitoring and Evaluating

The main indexes of the external monitoring and evaluation of resettlement include:

#### A. Main Indicators for Monitoring

- Progress: including preparation, implementation of land requisition, housing relocation and resettlement.
- Quality: including civil construction quality and degree of resettlers' satisfaction.
- Investment: including allocation and use of the funds.

#### B. Main Indicators for Evaluation

##### (1) Resettlement

- Economic conditions: household economic development before and after resettlement, including assets, production materials, subsistence materials, income, etc.
- Environmental conditions: living environment before and after resettlement, including traffic, culture and education, sanitation, commercial service facilities, etc.
- Employment: change in employment, including employment rate, assistance to the different PAPs, especially the vulnerable PAPs, such as impoverished families and minority families, etc.
- Development in community: local economy in resettlement host sites, environmental development, neighborhood relation, and public opinions after resettlement.

##### (2) Infrastructure: change of infrastructure of affected area before and after the Project

##### (3) Enterprises and business: change of running environment and situation of enterprises and business before and after the Project.

### 10.2.4. Method of Monitoring and Evaluating

Monitoring and evaluation will be performed on the basis of the survey data provided by the survey design institution and resettlement implementation institution. With an overall understanding of the situation, the evaluation will be performed by sample survey, key informant interview and rapid rural appraisal techniques.

The external monitoring and evaluating organization will also carry out the following work:

**(1). Survey of resettlers' living standards**

- ◆ A base-line survey will be conducted for this project, including the collection of selected samples of the base-line living standards of the resettlers. (The preliminary samples will be randomly collected). The living standard will be investigated once or twice a year to monitor the variation in the resettlers' living standards. The necessary data can be obtained by periodical survey, random interview and site visit, based on which statistical analysis and evaluation are performed. There will also be targeted survey of vulnerable groups.
- ◆ The survey comprises various indicators of living standards. some of the indicators will be used for weighing the dynamic variation of living standards before and after the land requisition and resettlement. The selected indicators will be checked to see whether they are reasonable in reflecting the actual production and living levels in the base-line survey and are subject to modification according to the actual conditions, so as to guarantee the message obtained reflects the quality and quantity of the real situation.

**(2). Holding Public Consultation**

The independent monitoring and evaluation institution will participate in the public consultation conferences held by the villages and townships. By this method, the institution can evaluate the effectiveness the public participation and the cooperative attitude of the resettlers towards the RP implementation. Such activities will be conducted during and after the resettlement implementation.

**(3). Gathering Resettlers' opinions**

The independent monitoring and evaluation institution will often interview the township resettlement offices and village groups to know the opinions collected from the resettlers and interview the resettlers who have grievances. The institution will report the opinions and suggestions from affected individuals and collectives to the Project Resettlement Office, and provide advice for improvement, so that the resettlement implementation can be more smooth and effective.

**(4). Other responsibilities**

The independent monitoring and evaluation institution has provided advice to the project resettlement office in preparation of the RAP, and will monitor the following activities in the process of implementation.

- I) Selection of resettlement sites,
- II) Construction of houses,
- III) Production arrangement and rehabilitation,
- IV) Support to the vulnerable group,
- V) Relocation of private-owned shops,

- VI) Re-construction of special facilities,
- VII) Payment and amount of the compensation,
- VIII) Resettlers' transfer,
- IX) Employment of laborers,
- X) Training,
- XI) Schedule of the items above mentioned,
- XII) Organizational network for the resettlement,
- XIII) Use of compensation of the collective-owned land and resettlers' income,
- XIV) Employment of the surplus laborers and income increase of them.

### 10.2.5. Work Procedures

External monitoring work procedures will be as follows:

- I) Preparation of monitoring and evaluating outline,
- II) Developing computer softwares for monitoring and evaluating of the resettlement,
- III) Drafting the investigation outline, survey forms, and record cards for sample villages and sample households,
- IV) Design of the sampling survey,
- V) Base-line survey,
- VI) Establishing the information system for monitoring and evaluation
- VII) Investigation for monitoring
  - Community socio-economic survey
  - Resettlement implementation institutions
  - Sample villages survey
  - Sample households survey
  - Sample survey for other affected objects
- VIII) Sorting of monitoring information and establishment of database
- IX) Comparison analysis
- X) Preparing a monitoring and evaluation report half a year in the implementation stage. A monitoring and evaluation report shall be formulated after finishing the implementation.

## 10.2.6. Formulation Plan of Report

### 10.2.6.1. Resettlement Act Plan Report

The formulation of the resettlement activity plan (RAP) of this project was draft in May 2010 and submitted to World Bank for evaluation through the Centre of Foreign Capital of the Ministry of Railway.

### 10.2.6.2. Progress Report of Resettlement

#### (1). Time Period

Starting from the resettlement implementation, report on resettlement progress shall be submitted at least once every three months from the lower resettlement offices to the higher resettlement offices. Harbin-Jiamusi Railway Passenger Dedicated Line Company should collect the information of land acquisition and housing demolition and formulate the 'Resettlement Progress Report' according to the reports submitted from resettlement offices at all levels, and then submitted to the WB twice every year, respectively by June 30 and December 31. The time period of the report is half a year.

#### (2). Layout of Contents

The format of the resettlement progress report will and shall be prepared as per the requirements of the WB. Accordingly, the report usually consists of two parts: a) the text part that describes in details the resettlement progress, payment and use of compensation, showing the progress, problems and difficulties met in the implementation, and the corresponding resolution and measures; and b) forms and lists that mainly show statistical data of the previous six (6) months, reflecting the progress by comparison of the actual and planned land requisition, house removal, reconstruction and use of compensation. The form and list formats are provided in Tables 10-1 and 10-2.

**Table 10-1 Progress Form of Resettlement**

Prepared by:					
As of:		Date of preparation:			
Items	Unit	Planned	Completed in This Quarter	Accumulated	Completion (%)
Fund allocation					
Private houses rebuilding					
APs moving into new housing					
Old houses demolition					
Redeveloping public buildings					
Electric line restoration					
Communication line restoration					
Land acquisition					
Land reclamation					

**Table 10-2 Statistics of compensation fees and subsidy for resettlement**

Town

As of:

Date of preparation:

office	item	unit	Number	inputted funds (Yuan)	in-place compensation fees and subsidy for resettlement (Yuan)

Person of statistics

Signature

Seal:

Note: items include built water-conservancy projects or channels (meter) and pumping stations, livestock farming (pigs, chicken, ducks), new cultivated farmlands (mu), public good project and infrastructure, and enterprises and companies.

### 10.2.6.3. Independent Monitoring and Evaluating Report of resettlement

The independent monitoring institution will submit monitoring and evaluation report to the World Bank through the center of foreign capital utilization and technology introduction of MOR before July 31 each year.

#### (1). Time Period

In accordance with the World Bank's requirement, after commencement of the resettlement, the monitoring and evaluation on resettlement will be carried out twice a year during resettlement implement period, with investigations for monitoring and evaluation respectively on April and Oct and monitoring and evaluation reports respectively on July 31 and Dec 31 each year. After resettlement implement, the monitoring and evaluation on resettlement will be carried out once a year, with investigation for monitoring and evaluation on April and monitoring and evaluation report on July 31 each year.

According to the overall progress plan of the project, land acquisition, demolition and resettlement work is planned to begin in Feb 2011 and complete in mid 2012. The independent monitoring and evaluation of immigration is to be conducted according to the conclusion of the implementation of resettlement. The monitoring and evaluating work is to be carried out 6 times (twice in 2011, twice in 2012, twice in 2013, twice in 2014).

#### (2). Contents

Contents of the external monitoring and evaluating report include:

- I) Base-line survey of the displaced;
- II) Progress of the land requisition, dismantle, relocation and resettlement activities;

- III) Resettlement and restoration of production;
- IV) Housing demolition, relocation and reconstruction of the displaced;
- V) Living standards of the displaced;
- VI) Availability and utilization of the resettlement funds;
- VII) Operation and efficiency of the resettlement implementation organization;
- VIII) Assistance to vulnerable groups; and
- IX) Issues and suggestions.

## Chapter 11 Entitlement Matrix

**Table 11-1 Rights for Land Acquisition and Demolition Compensation and Resettlement of the Construction of the Harbin-Jiamusi Railway Line**

Types of Impact	Affected People	Compensation or Measures for Resettlement	Compensation Standards
Land Acquisition	Village Collectives	1) Compensation for cultivated land 2) Compensation for non-cultivated Land 3) Compensation for village collective auxiliary assets	1. Compensation payment for cultivated land is 6-10 times of average value per mu 3 years prior acquisition. 2. Resettlement subsidies for each villager is 4-6 times of average value per mu 3 years prior acquisition. See attached section 5 and 6, and Table 60-64. 3. The proportion of compensation and subsidies is determined based on the capability of rehabilitation of income after relocation and loss of income.  Note: If the living standard of the villager cannot be maintained as prior acquisition from the compensation and subsidies, additional resettlement subsidies will be provided after approval from provincial and city level governments

	<p>Villagers</p>	<ol style="list-style-type: none"> <li>1. Compensation for standing crops</li> <li>2. Compensation for personal auxiliaries</li> <li>3. One or more of the livelihood measures of the village livelihood development package, including, but not limited to,             <ol style="list-style-type: none"> <li>a) Reallocation of village reserve land or land to be developed</li> <li>b) Redistribution of remaining land in the villages</li> <li>c) Enhanced productivity of remaining land through investment of the company money</li> <li>d) Participating in the government social security program</li> <li>e) Cash payment to households</li> <li>f) Vocational training</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>1. Compensation for standing crops and auxiliaries to be based on market and replacement cost under the policy framework in the RP.</li> <li>2. Land compensation funds to be used collectively among all village members as part of the village livelihood development package to be determined through village council meetings.</li> <li>3. The affected farmers who lose use right of their contracted farmland, will share equally and equitably among the rest of the village members in the reallocation of the village resources under the village livelihood development village. The village development package will be developed and agreed in the village councils collectively. The package will be based on the available resources in the village, including land, financial resources, and other opportunities, such as social security programs and non-farm jobs. The village package will ensure equal share and opportunities among all members and guarantee that the affected farmers will be compensated under the package.</li> </ol>
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**Resettlement Action Plan**

	Vulnerable households	<ol style="list-style-type: none"> <li>1. All the above entitlements relevant to their impacts</li> <li>2. Assistance and priority attention in house construction and livelihood measures</li> </ol>	<ol style="list-style-type: none"> <li>1. They will be further confirmed during the detailed planning process.</li> <li>2. Priority attention in all livelihood development measures</li> </ol>
Relocation of Residential Houses	Rural Households	<ol style="list-style-type: none"> <li>1. Compensation payment for houses at replacement cost</li> <li>2. Relocation expenses</li> <li>3. Free allocation of new residential plots by the villages</li> </ol>	<ol style="list-style-type: none"> <li>1. Compensation is based on reconstruction cost of new house</li> <li>2. Relocation and transition expenses include loss of income and damages property during relocation</li> <li>3. New residential plots to be chosen and agreed, provided within existing villages without cost</li> <li>4. Salvagable materials can be retrieved without cost</li> </ol>
	Vulnerable Groups	<ol style="list-style-type: none"> <li>1. The above entitlements relevant to house demolition and priority attention</li> <li>2. An additional cash assistance at 2000 Yuan per household</li> <li>3. Assistance of manpower and transport tools in transition, new houses construction</li> </ol>	

**Table 11-2 Rights for Land Acquisition and Demolition Compensation and Resettlement of the Construction of the Harbin-Jiamusi Line**

Types of Impact	Affected People	Compensation or Measures for Resettlement	Compensation Standards
Relocation of Business Houses	Commercial Enterprises	<ol style="list-style-type: none"> <li>1. To be provided with relocated business houses based on the principle of "one for one"</li> <li>2. Transition and relocation expenses</li> <li>3. If demolition is conducted prior to construction of the house, subsidies for loss of income during the suspense of business will be provided</li> </ol>	<ol style="list-style-type: none"> <li>1. Implementation of the "one for one" principle for Business Houses relocated.</li> <li>2. All losses incurred due to demolition will be compensated. Including resettlement fee. equipment storing fee and rent fee etc.</li> <li>3. All losses during the shutout of business, including the salary of employees</li> </ol>
	Industrial Enterprises	<ol style="list-style-type: none"> <li>1. Compensation for the houses</li> <li>2. Transition and relocation expenses</li> <li>3. If demolition is conducted prior to construction of the house, subsidies for loss of income during the suspense of business will be provided</li> </ol>	<ol style="list-style-type: none"> <li>1. Evaluate the compensation fee on the standard of replacement cost before resettlement.</li> <li>2. All losses incurred due to demolition will be compensated. Including resettlement fee. equipment storing fees</li> <li>3. Employees of affected enterprises have the priority of reemployment or can take the compensation of the lost profit and salary for employees during shutout, the latter is paid to employees directly.</li> </ol>

Relocation of Other Structures	Institutions	<ol style="list-style-type: none"> <li>1) Resettlement expenses</li> <li>2) Reconstruction will be made by the government</li> </ol>	<ol style="list-style-type: none"> <li>1) Standard of new structure will not be lower than that prior demolition</li> <li>2) Quality and standard of construction will not be lower than prior demolition</li> <li>3) Cash compensation is to be provided based on the resettlement cost if there is no requirement for reconstruction</li> <li>4) Payment of salaries and compensation to be made directly to employees</li> </ol>
	Affected Schools	<p><b>I</b> Governments or local village-government will make use of the compensation to reconstruct</p> <p><b>II</b> To be reconstructed then demolished, the standard is not to be lower than the original structure</p>	<ol style="list-style-type: none"> <li>1) Standard of new structure will not be lower than that prior demolition</li> <li>2) If there are great changes in the newly constructed school, such as the new school is very much further from their residences than the old school, students and teachers will be arranged to another new school</li> <li>3) Compensation of loss of salaries will be made directly to the employees</li> </ol>
Relocation of Basic Infrastructures	Affected Basic Infrastructures	<ol style="list-style-type: none"> <li>1) To be demolished by construction departments of railway</li> <li>2) Owner of basic infrastructure will make use of compensation to reconstruct</li> </ol>	<ol style="list-style-type: none"> <li>1) Recovered directly by railway construction organizations during construction, such as rural paths, irrigation channels.</li> <li>2) endowed by railway department, invite professional team to resettle, such as communication establishment, electric power etc. some infrastructure, such as compensation to affected people caused by railway department as drinking-water tower. Illuminate circuitry ,then reconstruction will be implemented by affected people themselves.</li> </ol>

<p>Temporary Occupation of Land</p>	<p>Village Collectives and Villagers</p>	<p>1) procedure                  2) Compensation for young crops                  3) Fee for temporary occupation of land                  4) The land is to be recovered to its original condition when returned to owner</p>	<p>1) to apply the permission from and register in the local land and natural resources bureau, and attain such approval                  2) the compensation rates should be based on the loss of affected people. the temporary land acquisition fee is calculated by AAOV × years, and paid to the land-users.                  3/4) guarantee fee for the land reclamation will be paid, and paid back after the land is restored. Or the guarantee fee will be used as deposit, and reclamation will be done by villagers. Reclamation should be supervised and confirmed by the local land and natural resources bureau.</p>
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