

PRC THEMATIC REPORT NO. 3

**Improving Resettlement Policies and Practice
to Manage Impoverishment Risks**

Preface

Rapid industrialization, modernization, and urbanization in the People's Republic of China (PRC) poses a major challenge to successfully resettle farmers affected by land acquisition, so that their basic living and long-term livelihoods are not adversely affected and legitimate interests are protected. This is necessary to promote a uniform and concerted development of the urban and rural economies and society as a whole.

This study group has heard comments and suggestions from government departments at all levels (including the state land resource department, labor and social insurance department, agriculture department, finance department, civil administration department, and so forth); and in the villages and towns, from village leaders and farmers affected by land acquisition. The team has also studied the policies and measures on land

acquisition and resettlement, including resettlement implementation and impoverishment risks. This was done through symposia, questionnaires, and direct interviews throughout the country after thorough research of relevant policies and measures. The team also studied cash-based resettlement, employment resettlement, land reallocation resettlement, housing resettlement, and social insurance resettlement, focusing on establishing and perfecting the employment training policy and the social insurance system for affected farmers.

This paper reviews the current status of resettlement, its significance as well as its basic rationale. It is hoped that the recommendations contained in this paper for improving resettlement policies and practice would be useful for discussion and decision making, especially for the prevention of impoverishment risks.

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I. Current Involuntary Resettlement Policies and Rehabilitation Measures for Farmers Affected by Land Acquisition

A. Rapidly Growing Number of Farmers Affected by Land Acquisition Puts Pressure on Unemployment

Although the state controls the scale of land use for different purposes, the demand for construction land is growing unceasingly because of rapid industrialization and urbanization in the People's Republic of China (PRC). Therefore, a large area of farmers' land has been expropriated for construction purposes. There are no integrated statistics for these affected farmers now. Based on statistics collected in the past few years, this study estimated that from 1993 to 2003, the total area of cultivated land used for nonfarming construction amounted to 1.7 million hectares (ha) and 36.4 million farmers were affected by land acquisition. In other words, about 3.3 million farmers are affected by land acquisition annually.

According to the comprehensive survey reports on the social security of farmer workers and land-loss farmers, there is still a huge demand for cultivated land; an estimated 1.2 million ha for construction for 2001–2010, 90% of which is collectively owned land that needs to be acquired (Mi Hong et al 2004a). Based on the current per capita area of cultivated land, the acquisition of 1 ha will make 21.5 million farmers lose their land. On this basis, approximately 26.5 million farmers will have to be resettled (over 10 years, 2.6 million farmers will have to be resettled every year) when 1.2 million ha of cultivated land is used for nonfarming construction. Annual labor supply in the PRC has now reached 12 million, whereas only 8 million–9 million positions are available. Only 5 million–6 million farmers in counties can be transferred to nonfarming employment. The farmers affected by land acquisition are more fragile than those laid-off from urban jobs.

Therefore, appropriately resettling the 2.6 million farmers and organizing their employment training as well as social insurance—to satisfy the demand for land from industrialization and urbanization, and to maintain the stability of the society—has become a major challenge.

B. Level of Compensation for Acquired Land is Low, Resettlement Policies and Measures are Inadequate

Besides the Land Administration Law, there is no other legal basis nor systematic policies and measures for resettling farmers affected by land acquisition. In other words, current policies and regulations provide no effective security for basic living and long-term livelihoods of displaced farmers.

From the perspective of the Land Administration Law (the legal basis on which the farmers affected by land acquisition are resettled), the land acquisition compensation standard stipulated is too low to resettle the farmers, the resettlement policies and measures lack flexibility in law, the policies and measures that protect the legitimate interests of the farmers affected by land acquisition are difficult to constitute, and there is no strategy for the prevention of impoverishment risk.

According to the Land Administration Law, compensation for acquired land includes compensation for land, resettlement subsidies, and compensation for attachments and young crops. Land acquisition compensation and resettlement subsidies are six times and four to six times respectively of the average annual output value of the acquired land, calculated on the basis of a 3-year output preceding such acquisition. The combined land compensation and resettlement subsidies move between the low limit of 10 times and

the upper limit of 16 times, with a maximum of 30 times the average annual output value of the acquired cultivated land calculated on the basis of 3 years preceding such acquisition.

However, the current compensation standard for acquired land, whatever the low or upper limit may be, is insufficient to maintain the original living standard of the affected farmers. If the average annual output value of cultivated land in the eastern region of the PRC is yuan (CNY) 12,000/ha, the total compensation for land and resettlement subsidies will be no more than CNY120,000–192,000/ha. Even if it is 30 times as stipulated in the law, it will be just a little more than CNY30,000/ha a level that equals 1–2 years income of a common civil servant. A majority of infrastructure construction projects in underdeveloped regions adopt the lower limit of the compensation standard, except for a few developed regions and suburbs of metropolitan areas. Compensation for acquired land is insufficient to restore the farmers' basic living, let alone their training, employment, and social insurance. The resettling of farmers affected by land acquisition will merely go through the formalities if compensation is not improved.

The Decision on Further Reforming and Strengthening Land Administration by the State Council (promulgated by State Council No. 2004 [28]) and its related documents have clearly recognized relevant issues, such as improving the compensation standard for acquired land, establishing systems for training and employment of farmers, and the social insurance system. This has helped ease some problems in the land acquisition system.

C. Noninclusion of Resettlement Policies and Measures in Regulations or Laws

Farmers affected by land acquisition are on the frontline of urbanization. Most are located in the suburbs of cities, or along roads, or in regions where the state and provinces are investing in major projects. Their methods of production and lifestyle are beginning to change toward urbanization. These farmers fall into three main categories:

- (i) those farmers whose entire land is acquired, some of whom are residing in the midst of the cities;
- (ii) also farmers who lose all their land but remain as farmers, hoping to get land after

land readjustment by the village committee; and

- (iii) those who lose a smaller area of their land and remain as farmers.

There is an obvious lag between the speed of acceptance of affected farmers by township-based employment and their social security system, and the speed of land acquisition. Only 30% of the farmers affected by land acquisition have realized the change from farming household to nonfarming household. Under current regulations, farmers affected by land acquisition, living in the suburbs of cities, cannot be absorbed by township-based employment and security systems until they are included in the household register of the towns. The field surveys showed the following facts: In Tianjin city, only 9.5% of the farmers who lost their land have moved to the household register of the city. In Shandong province, 70–80% of the farmers who had their land acquired still remained as farmers, only 20–30% transferred as residents of towns. In Hubei province, 70% of the farmers affected by land acquisition still remained in the farming household register. In Zhijiang city, 50% of the farmers affected by land acquisition realized the change to town-based household register, while the other 50% remained as farmers. If appropriate policies and measures are not available to provide long-term legal protection for such a large social group in terms of employment and security, severe economic and social problems can arise.

D. Existing Resettlement Policies and Measures Cannot Ease the Group Risk

There is now a diversification trend in employment and income sources of the farmers affected by land acquisition. There are five main employment modes as follows:

- (i) working out of home;
- (ii) continuing to engage in farming;
- (iii) remaining unemployed and staying at home;
- (iv) a minority of farmers are resettled and employed; and
- (v) self-employed and engaged in the second and third industries.

For a majority of farmers affected by land acquisition, losing land means losing the most basic and stable positions. In other words, land acquisition

means they will face unemployment risk. A proportion of farmers are in a “four-no” status—no land, no job, no security, and no capital for establishing business. Worse, the employment of nonfarming people is also difficult. Therefore, once the farmers lose all their land, or lose a large proportion of their land, while the remaining part is not enough to provide a livelihood, the individual impoverishment risk of the affected farmers will be transformed into a group risk.

The income of the farmers affected by land acquisition comes from the following sources:

- First, compensation for acquired land and for resettlement.
- Second, a kind of one-off income and also some fixed wages. The farmers get jobs and fixed wages through resettlement by governments, or in village-owned enterprises, the enterprises that acquire the land, and township-based businesses, and so forth.
- Third, subsidies from the collectives. Some well-off villages will give their villagers a subsistence allowance.
- Fourth, they find jobs on their own and earn an income. The study shows that more than 50% of farmers largely depend on running individual and private businesses, or running service enterprises, or going out of home to seek jobs to survive.
- Fifth, a minority of the farmers depends on house renting.
- Sixth, for those farmers who have a difficult life after land acquisition and have moved from farming to nonfarming households, they have the lowest livelihood security provided by the towns.
- Seventh, some farmers involved in the old-age social insurance of the towns and villages begin to enjoy the social insurance.
- Eighth, income from farming the remaining land. If the income from these various sources is not enough to sustain their basic livelihood, the individual risk of the farmers affected by land acquisition will further change into a group risk.

If the individual risk can be eased by traditional family or social relief, the group risk can only be resolved by improving policies, establishing systems, and strengthening laws and regulations. This calls for new measures for the formulation of policies and design of systems and the promulgation of laws and regulations.

II. Analysis of the Impoverishment Risks of Farmers Affected by Land Acquisition

A. The Characteristics of Impoverishment Risk

Farmers affected by land acquisition fall into three categories according to the extent of land that has been acquired.

- (i) **Category I** – Farmers whose land is totally acquired. These farmers should become registered urban residents. Most live in suburban areas and some live in rural areas. For example, people lose all of their land because of reservoir construction. Experts estimate that farmers whose land has been totally acquired may account for 35–40% of the APs. A survey in Guangxi Zhuang Autonomous Region shows that farmers whose land was totally acquired account for 35% of the affected farmers.
- (ii) **Category II** – Less than half of these farmers' land has been acquired and they have the balance land left for cultivation. They are still registered as rural residents. They may live in suburban and rural areas. A survey in Guangxi Zhuang Autonomous Region shows that farmers whose land has been acquired are left with less than 0.03 ha account for 38% of affected farmers.
- (iii) **Category III** – More than half of these farmers' land has been acquired and they have a little land left for cultivation. They are still registered as rural residents. These people mostly live in rural areas and their land has been acquired for infrastructure construction.

Farmers in these categories are burdened with different risks. Their impoverishment risks can be divided into the following aspects:

1. Decline in Total Income due to Land Acquisition

Income decline is the primary risk faced by farmers affected by land acquisition. Land acquisition leads to direct income loss because their land has been acquired. This is unfortunate because they have no other income sources. Generally speaking, the income of farmers affected by land acquisition declines with time.

From the perspective of time, land acquisition will not affect farmers too much at the initial stage. On the contrary, most of them may live a better life since they receive the one-off compensation for acquired land. Moreover, some may shrug off poverty. However, with time, their living conditions may change due to the economic development of the collective, the varied individual health status, and the ability to seek employment and development. Farmers, especially those whose cultural level is generally low, or those who lack the capacity to adapt to the social transition, or have no planned consumption, or lack the capacity for seeking employment opportunities or establishing their own business, tend to gradually fall into poverty.

In developed areas, land acquisition is an opportunity for most farmers but a concern for a minority of farmers. There are plenty of employment opportunities in the second and the third industries and people there are relatively more open to information. The odds of success in second or third industry are pretty high. For example, some affected farmers use the compensation to run small shops, or to build houses for renting, or to buy vehicles to engage in transportation. These are all good ways to make money. Some village collectivities use the compensation to start businesses or to construct factory buildings to rent, which increases their dividends. All in all, the loss of income from farming has no significant impact on the gross income in these circumstances because farming output has already declined and the income from farming only accounts for a small proportion of the gross income. On the other

hand, income from trading or industry is higher than that from farming; therefore, the affected farmers can enjoy a higher income level on the whole. However, in most underdeveloped areas, the overall income level of the farmers affected by land acquisition declines and the income gap becomes wider and shows a polarization trend. Farmers whose land is totally or partly acquired may fall into absolute poverty. Even farmers in the same region have differences in income. The National Rural Social Insurance Research Center conducted a study of the farmers affected by land acquisition in Tongzhou District, Beijing. This study identified 10 categories of affected people.

The studies show that the incomes of affected farmers varied according to region and period of resettlement.

Expenditure for personal consumption increases after resettlement. The basic expenditure is not only for water, electricity, and coal, but also for farm products (such as foodstuff and vegetables) which were originally self-supplied and even remained a surplus. Moreover, due to the increased price after land acquisition, the living expenses in most regions generally increased by 30% compared with those prior to land acquisition.

From the perspective of the purpose for which the land is acquired, land acquisition for town construction, especially for commercial use allows a higher compensation standard and creates more reemployment or self-employment opportunities, and the affected farmers would be less likely to become poor. But compensation for land acquired for building infrastructure (such as railway and road) or public interest, or for building reservoirs, or agricultural purposes is very low; and thus, these farmers are more likely to fall into poverty. Therefore, farmers who lose a majority of their land suffer the most from income decline and those who lose the least amount of land suffer the least.

2. Employment Difficulties Caused by Land Acquisition

Employment difficulties fall into two main categories:

First is the high unemployment rate. Employment difficulties can be seen in higher jobless rates among land-loss farmers. Farmers are mostly resettled with money and they look for jobs by themselves. However, as they are poorly educated, low skilled in nonagricultural work, and they are a vulnerable group within the labor market itself, employment is their greatest difficulty, and a major challenge for local governments.

Second is insecure employment. Surveys show that most land-loss farmers secure a living by finding jobs in cities, or else through employment in local rural enterprises, finding temporary and casual employment, or becoming self-employed, usually selling goods as a market or street vendor. In most instances, such employment is unstable.

The few land-loss farmers employed in local rural enterprises also face high risks of unemployment. There is often severe competition for jobs in local rural enterprises; yet, such enterprises are often economically uncompetitive in the market and so are susceptible to closure, causing further unemployment. In terms of unemployment after land loss, land-loss farmers in urban suburbs face lower risks as there are relatively more opportunities for lower-grade, unskilled nonagricultural employment.

3. Job Insecurity and Poor Long-Term Livelihood Guarantees

Given the speed and extent of change within Chinese society, existing social provisions face considerable challenges. A system of social insurance for farmers has not yet been established and the social welfare of farmers continues to be dependent on previous arrangements. In fact, throughout a period of profound change, access to land of a viable size—inside or outside of previously constituted collective farm units—has been the most stable guarantee for the long-term welfare and livelihood of people in rural areas. Thus, after land is acquired, how to establish a long-term livelihood for land-loss farmers has become the key issue. In recent years, some local governments have begun to establish social insurance systems for land-loss farmers, with positive results. But for most of them, their greatest concern is that their future and livelihoods are now chronically uncertain. Most affected farmers do not participate in insurance. At the same time, they have no medical insurance. Many land-loss farmers enjoy neither rural cooperative medical insurance nor medical insurance for urban workers. If they are ill, they face an acute crisis. Obviously, the more land farmers lost, the higher risks they will face.

4. Summary of the Risks Faced by Land-Loss Farmers

The intensity of risk faced by land-loss farmers is summarized in Table 1:

Table 1: Degree of Risk for Land-Loss Farmers

Degree of Land Loss		Income	Employment	Long-Term Livelihood Guarantees
Full land loss	Urban Suburban	▲▲▲	▲▲	▲▲▲
	Rural	▲▲▲	▲▲▲	▲▲▲
Most land loss	Urban Suburban	▲▲	▲▲	▲▲
	Rural	▲▲	▲▲▲	▲▲
Lower land loss	Urban Suburban	▲	▲	▲
	Rural	▲	▲	▲

High risk = ▲▲▲

Source: CLSPI, 2005. Analysis of risks faced by different land-loss farmers as documented in various studies cited in this report.

In terms of the degree of risk, farmers who lose all their land face the highest livelihood risks followed by farmers in rural areas who have little land left, while farmers in urban suburbs who have a little land left face lower risk. Land-loss farmers who retain more land face the lowest risk.

In terms of the degree of stability, those in urban suburbs and rural areas who lose only a little land live the most stable life. Those in urban suburbs who lose most land but still retain a little arable land live a relatively stable life. Farmers in rural areas who lose most land live a relatively unstable life, and those who lose all land face the most uncertain future.

B. Factors Contributing to the Impoverishment Risk of Farmers Affected by Land Acquisition

1. Strong Dependence on Land Results in Poverty

Affected farmers who have a high dependence on land face the steepest decline in income since their most important resource is lost, especially if there are no new income sources. Some APs—disabled or senior citizens in particular—may even find themselves in extreme poverty, living off their meager compensation.

Farmers whose incomes come mainly from nonagricultural sources see their incomes rise and their disposable income also increases. For these people whose income is attributed less to land, and who can properly handle land-loss issues, they may see their per capita income as well as consumption levels moving up much faster than the average. While for farmers who work on land allocated by the collective, and who can

work in companies especially set up by the collective after their land has been taken, their income and consumption do not suffer any significant loss either. But for farmers who rely on land for basic living, land loss takes a much heavier toll on their welfare.

2. Lack of Employment Training and Social Insurance Leads to Poverty

The lack of employment training and a social insurance system is one of the foremost causes of poverty. When farmers' income is not enough to meet their basic living after their land is totally or partly acquired, the key way to prevent impoverishment risk is reemployment of the new nonfarming people. It is a big leap in terms of career change from farming to nonfarming. To accomplish this, training is vital. Therefore, it is inevitable that some farmers will suffer employment difficulties or low-quality employment, having no income or a small income, and plunging into poverty because there is no employment training mechanism that unifies the towns and counties. There are no policies and measures to support employment training for the affected farmers. As for the farmers who are old and unable to work, they will surely be pushed into poverty if no social insurance system is established for them.

3. Differential Treatment Affects Women

In terms of gender, failure to guarantee the interest of female farmers in land acquisition has led to gender-based poverty risk since land is also a major source of income and living security for women who have just become urban citizens. In the process of extended

land contracting (began in 1998), such gender discrimination came to the fore as some regions might allot land proportionately to men and women, while some other areas failed to give due recognition to women in allocating land. Because land policy has remained unchanged for 30 years, oftentimes, after a girl has been married off, she is no longer entitled to land allotment while her share in her mother's home is also taken. As a result, many women find themselves deprived of any land under their name. In addition, despite appreciation of land values in suburban areas and better treatment for some resettled villagers, many

women are still deprived of such benefits since their hukou was forced to change or was suspended.

Women's interest is hurt because their mobility resulting from marriage is not matched by a change in their entitlement to land. In addition, land policy that advocates land area stability—despite a shift in population—permits little adjustment; hence, putting women at a disadvantage when it comes to their rights. What is more, gender bias among folk practice has also deprived many women of the right to own land. Given the above, gender-based poverty risks and differential treatment deserve greater attention.

III. Current Resettlement Policies and Practice and the Prevention of Impoverishment Risks

A. International Practices in Resettling Affected Farmers

Policies and measures for the resettlement of farmers who lose their land in various countries are diverse due to the differing national situations. But creating employment opportunities and establishing social insurance systems are universal and effective ways adopted by them for the prevention of impoverishment risks.

Take the United Kingdom (UK) as an example. The UK led industrialization and urbanization, establishing the social insurance system for farmers who were separated from their land. The “Tudors Elizabethan” (also known as the English Poor Law) Poor Law established in 1601 was a pioneering effort of the state in making legislative interventions in poverty relief. The main intervention in this period was tax collection, which was used to provide relief to the poor and homeless people after they were separated from their land in the enclosure movement (Slack 1990).

From a social perspective, the “English Poor Law” was born in a vital period when society was changing from rural to urban. In 1601, the UK was suffering great turbulence when there was a sea of floating population and the rate of unemployment, vagrancy, and poverty suddenly rose. With the development of factories—and thus, the emergence of the Industrial Revolution—the enclosure movement separated the farmers from their land on which they depended for generations. Moreover, the rapid development of city and factory construction continued to claim much more land and threw the farmers to the cities and the industrial centers where there was no mechanism for protecting them. Although the “English Poor Law” provided funding to poor farmers who had lost their land, the legislative intervention had been basically limited to poverty relief for 300 years. From the 1700s–1800s, though the scope of state intervention expanded, it was not involved

in the fields of old-age insurance, medical insurance, unemployment insurance, and maternity insurance (the key personal life risk fields that modern social insurance involves). In fact, its interference was only limited to child labor, public health, and education to enhance the efficiency of the state. However, it was the nongovernment organizations that played an important role in the field of personal life risk, including some nationwide organizations such as charity organizations and workers’ mutual aid associations. Due to the lag between the introduction of the social insurance system and the development of the economy and social transition, farmers entered a period when they had no social protection in the process of urbanization and industrialization. Consequently, the grand workers’ movement arose in the cities, which made Marxism broadly diffused. The UK then suffered a long-term turbulence.

Until the end of the 19th century and the beginning of the 20th century, under the impact of the workers’ movement, Germany and the UK began to attach much importance to improving the state’s efficiency (economic growth needs a healthy and educated workforce while poverty does harm to the citizens’ quality). At the same time, attention was also focused on bridging the gap between industrialization and urbanization, and the introduction of a social insurance system to create social stability and promote economic growth. Then groups of people were all brought into the social insurance system and the number of social insurance programs increased rapidly. Furthermore, some countries (including the UK) even directly provided social insurance “from cradle to grave” for their citizens after World War II.

The developments from the old Aid-the-Poor Law to the system of the welfare state is a history of institutional development, which started from building the employment and social insurance system for farmers who lost their land, reflecting the increasing

dependency between urbanization and the social insurance system. The experience and lessons drawn from this process are useful in this context.

B. Relevance of Current Resettlement Policies and Measures for Prevention of Impoverishment Risk

The resettlement policies and measures for farmers after land acquisition by the Government is based on the following modes: cash resettlement, employment resettlement, farming resettlement, land reallocating resettlement, housing resettlement, and social insurance resettlement. Cash resettlement is the main method now. Other resettlement modes such as social insurance are only used on a very small scale and have been started recently. In sum, overall resettlement is weak and there are no effective ways to solve the problems such as basic living, employment, business establishment, and social insurance for farmers affected by land acquisition.

Adopting positive employment promotion policies and establishing appropriate social insurance systems—drawn from international experience and recent experience in the People’s Republic of China (PRC)—may help resolve these problems. Therefore, to improve the policies and measures on resettlement, the authorities not only need to pay attention to adopting relevant combinations of cash resettlement, employment resettlement, farming resettlement, land reallocating resettlement, housing resettlement, social insurance resettlement, but should also identify the orientation of the policy (i.e., giving highest priority to employment promotion and social insurance resettlement). This aims to avoid the limitations and negative effects that current resettlement modes may bring about and to achieve the objective of the policy, that is, to successfully resettle the farmers affected by land acquisition.

There are advantages and disadvantages in current resettlement policies and practice:

1. Cash Settlement

Currently, cash resettlement is the primary method. It pays resettlement allowances (sometimes partial or total land compensation) to affected farmers once and for all, expecting them to find alternative livelihoods all by themselves. In recent years, farmers and land users have not welcomed the employment resettlement

method. Ninety percent of the construction land use programs submitted for the approval of the state council adopted the cash compensation approach. According to a 2002 survey conducted by the Ministry of Land and Resources in 16 provinces (cities, districts), 60–80% of the resettlement has been based on this method from 2000 to 2001. The proportion in Tianjin, Zhejiang, Shanxi, Guangdong, and Hebei is over 90%. The proportion in Shijiazhuang, Heerbin, Hefei, Lanzhou, and Nanning is as high as 100%.

Its advantage is that it is easy to operate and is accepted by the farmers. It is suited to younger people and farmers who are working out of home, but not suitable to groups of over 45 years old or farmers of low-level labor skills. It is relevant to the developed coastal areas but not to the underdeveloped mid- or western region. Under the current social conditions, it is rather difficult for the affected farmers to seek jobs by themselves. In some developed regions, farmers may find jobs on their own where second or third industry thrives. But in underdeveloped regions, the farmers’ basic living, employment, business establishment, and social insurance cannot be radically changed as the farmers have no land after land acquisition and the compensation is rather low. The farmers who have no productive opportunities and livelihood avenues are concerned about their living and their offspring because the cash compensation is not enough for their basic living and long-term livelihood.

2. Employment Resettlement

Employment resettlement is not used often. It enables affected farmers to work for enterprises that use the acquired land and the resettlement subsidies are paid to those enterprises. Some projects in Shanghai adopted this method. From 2000 to 2001, about 13.7% of the APs were employed by such land users.

The advantage is that it guarantees timely employment and provides a relatively fixed income. However, the original employment resettlement mode and transformation “from farming to non-farming” have lost their utility and meaning in practice with the change to a socialist market economy and reform of the employment system. Worse, the farmers are in an extremely bad situation in the increasingly competitive urban labor market since they have little education and lack the appropriate labor skills. They are easily laid off and have to suffer unemployment and poverty

even if they are employed for a period because of poor adaptability. There are obvious limitations to providing resettlement employment in town- or village-run enterprises. On one hand, the capacity of the town- or village-run enterprises is limited and they cannot cater to the employment problem for a large number of affected farmers. On the other hand, town- or village-run enterprises are vulnerable to competition and subject to bankruptcy, which is more likely to lead affected farmers to unemployment and poverty.

3. Farming Resettlement

Farming resettlement is an important method in addition to cash resettlement. Affected farmers can get land again only through land readjustment among collective economic organizations that have received land compensation and subsidies. The survey conducted by the Ministry of Land and Resources shows that this method is adopted in less developed regions and areas with more per capita cultivated land, such as in Guangxi and Gansu where more than half of the people's land has been readjusted. Land acquisition for infrastructure construction and for township development has a higher rate of land readjustment.

Since farming resettlement policy can only be realized by land readjustment, it almost always results in smaller landholdings for both APs as well as for those in the collective that have to give up their land. The measures of land redistribution will break the signed land contracts, which may result in noncompliance with the Rural Land Contracting Law. Moreover, it lessens the income of farmers involved (or not involved) in land acquisition, and thus, affects the implementation of the policies and measures.

4. Shares Resettlement

On one hand, compensation for young crops and attachments will be paid to the farmers, while payment for land acquisition (including compensation for acquired land and subsidies for resettlement) will be invested in the form of shares to concentrate and unify the development and expansion of the collective economy. This will then provide employment opportunities and livelihood guarantees to the affected farmers. On the other hand, the farmers can participate in the allocation of profits and realize their interest on land through capitalization and the joint stock system on the basis of cooperation on land-use rights after land acquisition.

It is notable that market and operation risks are unavoidable regardless of the investment method, the scale of the enterprise, or the situation of the industry. Most payment for land acquisition is used for building houses and buying machines to establish businesses in most regions. But such enterprises frequently suffer heavy losses due to their poor operation skills and severe market competition. Moreover, once the enterprises close down, the village collectives may not have any accumulated assets. They can even be in heavy debt, and unable to ensure the farmers' livelihoods.

5. Housing Resettlement

After acquiring collective land, multistoried buildings are constructed under the standards of modernized residential areas for farmers in the borders of towns and counties. This not only resolves the resettlement of affected farmers but also allows them to rent their house(s) to increase revenue, accelerating the transition process from farmers to urban residents. It is one of the effective ways to resolve the resettlement problem. But the risk in this resettlement mode is the issue of legitimacy of farmers renting their houses.

6. Land Reserve Settlement

In addition to cash compensation given to the farmers, a proportion of land allocated for nonfarming construction purposes is reserved for collective economic organizations to conduct business or land development so as to resettle the affected farmers.

This land reserve resettlement emerged first in the special economic region of Shenzhen. At the beginning of the 1990s, land reserve resettlement—a mode to resettle the farmers affected by land acquisition—was first adopted in Shenzhen when it was facing the problem of how to turn the land in the special economic area into state-owned land. It proved to be a success. Currently, this resettlement mode has been adopted by most of the suburbs around cities or developed areas, because the land property market is developing fast and land prices are generally higher. The land retained typically accounts for 5–10% of the total acquired land, even as high as 15%. Local government adopts favorable policies: allows the development of the second and third industries on the reserved land, returns most of the remise income to farmers, and reduces or eliminates taxes or charges. It retains certain pieces of land for the affected farmers

to establish and develop. It provides security for them through expanding the collective economy and then truly bringing benefits to the common people.

7. Social Insurance Resettlement

Social insurance resettlement has emerged in relatively developed provinces and cities. It helps alleviate the problems of affected farmers by paying for old-age insurance and medical insurance using the compensation for acquired land and resettlement subsidies, and gradually building the farmers into the social insurance system. In 2002, Zhejiang and Jiangsu provincial governments put in place policies to establish a basic living allowance system for farmers affected by land acquisition. Shanghai, Chengdu in Sichuan, and Jiaying in Zhejiang adopted social insurance resettlement. Since 1990, Jiaying has provided old-age insurance, job-seeking fees, and land acquisition brochures to those affected farmers who have become urban residents. They have been incorporated into the social insurance system for urban residents and have secured a basic living allowance.

The experience proves that social insurance resettlement has played a positive role in helping industrialization, urbanization, and modernization; creating a good investment environment; expanding the coverage of social insurance; removing poverty in the cities; and maintaining and promoting social stability. The establishment of an internal mechanism for farmers to share the fruits of industrialization, urbanization, and modernization is really a good strategy. But this resettlement mode needs to deal with the farmers' near- and long-term living. It also requires that local governments have enough economic strength. What should be discussed are the level of insurance that needs to be provided for the affected farmers and the level that can be provided for them in practice. Such problems that have emerged in the process of the establishment of a sustainable system need to be further studied systematically.

The following four proposals are based on this experience:

- a. **Include the affected farmers in the basic social insurance system for town-based workers through an innovative payment method.**

This method requires innovative payment systems and levels of payment must be lowered at

least in the early stages. This will not only create a new source of insurance capital, but it also conforms to the trend of citizen-led initiatives and the main direction of the townships social insurance system. It will help the affected farmers enjoy equal treatment in terms of social insurance as the town-based residents to protect their interests and to accelerate the farmers' urbanization process. It will help increase the fund income of the town-based workers' social insurance system and lessen current payment pressure. But it can increase the long-term payment pressure on the funds. It can be a long and difficult period for the farmers because their economic status cannot catch up with the town-based residents' level.

The State Rural Social Insurance Research Center conducted a survey of affected farmers in Jiaying. Based on the current situation, in 2003, if every farmer is paid yuan (CNY)398, then the Government will have to provide a total amount of CNY2,000 million as old-age insurance. As the economy develops and the average incomes of urban residents increase, more than CNY398 would have to be paid to farmers. In this case, the Government will have a great financial burden.

- b. **Include the farmers affected by land acquisition into the village-based old-age social insurance system.**

Two methods for improving the village-based old-age social insurance system have been implemented:

First, Chengyang District of Qingdao City improved the village-based old-age social insurance system on the basis of unified planning and individual account—a low level of “imitating-the-city” mode. This mode provided an increase in the security level for affected farmers, thus securing their basic living. It not only conforms to the reality of the affected farmers in Chengyang District but also benefits the establishment of the old-age social insurance system for the affected farmers in other suburbs around big cities. However, regional features vary greatly in the PRC and the economic strength of the affected farmers varies in different regions as a result. With increasing numbers of affected farmers and the old-age pension required for them, the funds will become unbalanced, which will increase payment from the social insurance fund and put greater financial pressure on the governments. For most of the regions and the affected farmers, it is still too high a burden to bear regardless of whether it is a fixed payment or an irregular payment, even with lower standards.

Second, Daxing District of Beijing City created a system that combined the individual account with the reserve fund. After including the affected farmers into the revised village-based social insurance mode, the original system was improved by: (i) increased government subsidies, strengthened support and instruction improved the mixed payment incentive scheme that combined government subsidies, collective subsidies, and individual payments; (ii) an automatic increase mechanism was included by setting the minimum payment standard at the village-based old-age social insurance level based on the lowest security standard of the village at no less than 120% in that year; and (iii) the adjustment mechanism for the village-based old-age social insurance was established. The local government allocated a certain amount of capital to the reserve fund to adjust the village-based old-age insurance to ensure that members involved in social insurance would live a better life rather than live on the minimum level of life security when they retire. This makes the security level adapted to the economic development and then allows the farmers to share the fruits of industrialization, urbanization, and modernization.

c. Adopt innovative livelihood security systems for affected farmers.

Zhejiang province has achieved some results in the field of basic livelihood, employment, and social insurance through the establishment of a basic living security system for the farmers affected by land acquisition. But there are still some problems.

d. Establishing a separate system and including the affected farmers into the small township-based social insurance system

The Provisional Method for the Shanghai's Small Township-based Social Insurance, which was released by the Shanghai municipal government in October 2003, has made the small township-based insurance as the target mode for the social insurance system of Shanghai City.

"Town-based insurance", a mid-level social insurance system, falls between the city-based insurance and the village-based insurance. Its main characteristics include the following: First, it is

not demanding. The payment base for town-based insurance is 60% of the average social income. The proportion of the payment for the basic insurance drops to 24%, which greatly lowers the demand on entering the social insurance scheme and is helpful to lower the pressure on governments. Second, it is flexible. The units or individuals can voluntarily participate in the town-based insurance under the instructions and encouragement of the governments. The payment has no upper and lower limits. Third, it is comprehensive. The town-based insurance currently includes four kinds of insurance—old-age, medical, unemployment, and maternity. The industrial injury insurance will also be included after the publication of relevant regulations.

8. Conclusion

Under the increasingly competitive economic climate and growing economic risks, employment training and social insurance for affected farmers must be given greater importance. This is because sustainable employment and social insurance will help their transformation from farmers to urban residents. Appropriate combinations of the different resettlement modes (i.e., cash resettlement, employment resettlement, farming resettlement, shareholding resettlement, land reserve resettlement, housing resettlement, and social insurance resettlement) should be considered for compensating affected farmers.

C. Addressing the Impoverishment Risks of Affected Farmers

Governments at all levels in the PRC have shown great concern for properly resettling farmers affected by land acquisition. Much effort has been devoted to the resettlement of the concerned farmers. This exploration looks at employment training and social insurance.

The Instructional Suggestions Regarding Job Training and Social Insurance Work for the Farmers Affected by Land Acquisition has already been submitted to the state council. Therefore, a national instructional recommendation will soon be put in place and job training and social insurance work will take on a new look.

The Policy of Zhejiang Province. The document released by the Zhejiang provincial government in 2002 required that the basic living guarantee system should be introduced for farmers affected by land acquisition

starting from 2003. The Instructional Suggestions Regarding the Establishment of the Basic Living Guarantee System for the Farmers Affected by Land Acquisition (jointly proposed in 2003 by the provincial labor guarantee office, the provincial commission of finance, the provincial civil administration bureau, and the provincial agriculture department) required that all regions must accelerate the establishment of the system. The instructional suggestions dealt with old-age insurance, employment, medical service, insurance, training, etc. At the same time, the provincial government specified regulations on certain issues, including how to promote employment for farmers, how to accelerate the transformation of the farmers, how to improve construction work in new residential areas, and how to reconstruct the “villages in the city”. The document regarding the policy on social insurance has been published in all cities and counties of the province. Thus, 1.5 million farmers were included in the scope of social insurance, in which 1.26 million farmers were included in basic living security while 560,000 farmers qualified to participate in insurance have received their basic living security fee and old-age pension. The Notice

regarding further Perfecting the Social Insurance Work for the Farmers Affected by Land Acquisition (which was released by the provincial government office on 21 April 2005) stipulated the overall requirements for the implementation of the social insurance system for affected farmers. It specifically stipulated the details of implementation of relevant policies. The establishment of the social insurance system has effectively protected the farmers’ legitimate interests and promoted orderly land acquisition.

The Policies of Shandong, Anhui, and Hebei Provinces. In 2003, the Shandong provincial government released the Suggestion on the Establishment of Basic Living Security System for the Farmers Losing Their Land by Shandong Provincial Government, while the provincial labor and social insurance office released the Notice Regarding Printing The Operation Methods on Basic Old-age Security for the Farmers Losing Their Land. In 2005, Anhui Province published Suggestions Regarding Implementation of Employment Training and Social Insurance for the Farmers Affected by Land Acquisition. Such methods have also been released in Beijing, Shanghai, Tianjin, Hebei, Chengdu, Xi’an, and other places.

IV. Improve Resettlement Policies and Measures to Prevent Impoverishment Risks

A. Establish an Employment Promotion Policy Suited to the Farmers Affected by Land Acquisition

Employment opportunities for the affected farmers should be expanded. They should also be resettled in different modes according to the employment policy for laid-off urban workers. Employment promotion policies suited to the affected farmers should be introduced.

First, efforts should be made to exploit employment opportunities in communities to meet the demand from the labor market and township-based residents. Affected farmers should be assisted in securing reemployment. Help should be given for the development of the city and to improve the quality of life of the residents through unifying the reemployment of the affected farmers with other efforts in the cities, such as afforestation, environmental protection, sanitation, transportation, and service facilitating public; encourage reemployment in diversified forms; reinforce promotion and education on the concept of equal employment; and encourage affected farmers to obtain employment in a non-full-time system, part-time work, seasonal work, and in a flexible work system.

Second, help the affected farmers who cannot find jobs to run farming parks under contracts and other similar projects, to continue to engage in farm production which will bring their farm production skills into full play.

Third, the Government should bring the farmers affected by land acquisition under the policy coverage of the small loans program to help their reemployment. The authorities—including the commercial and industrial department, civil construction department, taxation department, finance department, health department, and fire fighting department—should help the affected farmers in such areas as providing small

loans, favorable taxation, etc. when they establish their businesses, or seek employment by themselves, or organize a group to seek employment. This aims to gradually improve their living standard. The policy of small loans has been implemented in many areas. The affected farmers should be targeted to apply the preferential policy of small loans as soon as possible so as to improve their enthusiasm and the success in self-employment attempts.

Fourth, establish a financial security mechanism for the reemployment fund. The reemployment fund is so crucial an element of public finance that the finance department at all levels should adjust the fiscal expenditure structure and increase the contribution to the reemployment funds to gradually form the system guarantee.

Fifth, reinforce the training in reemployment skills and strive to expand the training in establishing businesses. Provide training at all levels with a stress on relevance, practicability, and effectiveness, which should be based on innovative training modes and work mechanisms, as well as the needs and structural nature of the labor market. Encourage all persons to participate in reemployment training and inspire their enthusiasm; make greater efforts to train on establishing businesses; provide necessary training on the basic knowledge and abilities for qualified farmers affected by land acquisition to foster a group of small business entrepreneurs and independent job hunters, and thus, drive more affected farmers to realize reemployment; and then to form positive interaction among training, business development, and employment. Strengthen the relevance of self-employment training and combine it with business-starting instruction, small loans and taxation remission, and continued support to provide a unified service for the affected farmers and help them establish businesses successfully. Areas where conditions are most favorable may establish “incubators” for establishing businesses to solve the problems on-site.

Sixth, provide reemployment service and optimize the employment environment. The employment security departments should offer free employment introduction and instruction for affected farmers, continually expanding the function of employment services and strengthening its agency role in employment security issues. The public employment agencies should provide unified services, that is, to provide the services that can facilitate the farmers in a true sense once they enter an agency. These services should include information, application register, employment instruction, training appraisal, and continued social insurance. Strengthen the development and administration of the labor market. Form multitiered and all-round normative employment service networks with reasonable multipurpose layout so as to provide all kinds of timely and effective employment information for the laborers. Regulate the behavior of the employment agency. The employment security department, public security department, and industrial and commercial department should make more efforts in implementing the law and, in inspections, resolutely investigate and prosecute illegal labor markets, make full use of the bridging role of the market in employment, protect the affected farmers' legitimate interests in the process of job hunting. Strengthen the construction of the fourth-grade employment security system and the stipulated six aspects that should be "in place"—agency, personnel, funds, venue, system, and work. Establish and perfect the reemployment backup mechanism to help the affected farmers in difficult conditions to gain reemployment. The support should mainly target the "40–50" featured persons (female: 40 years old and above; male: 50 years old and above) and the families in which the couple are both unemployed; in an effort to ensure at least one of them is employed. Therefore, the survey on the people in difficult conditions must be conducted carefully. Further, find out the number and the basic information of the "40–50" featured persons and where both are unemployed; build up a tracking system; adopt "one person, one card" administration pattern; achieve "five clearness", that is, to be clear about the family, employment inclination, technical level, income level, and employment destination; and establish classified accounts according to their employment inclination, age, technical level, and so on. Strengthen the relevance and practicability of reemployment. Provide unified quality service. Provide the people who have difficulties with unified services including policy enquiry, employment instruction, employment introduction, skilled training

and labor security issues; and increase the nonprofit undertakings. Increase the undertakings according to the characteristics and the demand of the people with difficulties. Providing employment to the "40–50" featured people should be prioritized, especially where both are unemployed, in the nonprofit undertakings funded by the Government. At the same time, expand the long-term stable reemployment assistance base, and implement relevant preferential policies.

Seventh, establish and implement a nationwide training program, as a separate project, for the farmers affected by land acquisition, integrate training resources, innovate training methods, and improve training quality. Set up television-based (remote) nationwide training programs and practice the "sunshine" project focusing on transition training, the nationwide training program for skilled workers, the on-the-job training program for the farmers affected by land acquisition, and implement relevant policies targeting the farmers affected by land acquisition based on their different training needs.

B. Establish a Flexible Social Insurance System for Affected Farmers

First, provide old-age security for the farmers affected by land acquisition. The system should be further improved after comprehensively considering the PRC's conditions, the phase of construction of the social insurance system, and the reality of the affected farmers. Finally, a flexible old-age security system should be established, which should be Chinese-featured, individual account-focused, with reasonable security and flexible payment method, transferable, adaptable, and widely applicable.

The flexible old-age security system is not a theoretical assumption anymore—it has been put into practice. The innovative village-based old-age social insurance system in Daxing District of Beijing City is an attempt of the flexible old-age security system. The Nationwide Village Old-age Social Insurance Work Symposium, which was held in December 2004 in Yantai City of Shandong Province, has commenced work to establish a flexible old-age security system for the affected farmers. In April 2005, Shanxi Province published the Notice regarding Implementation of the Social Insurance Work of the Township Business Workers according to the abovementioned assumption. As a result, 3.75 million workers in township businesses in the province will be absorbed into the flexible old-age security system. There were originally 2.74

million workers included in the basic township-based workers' old-age insurance, which is a result of a 20-year effort. Now, this system will essentially change the current structure of the social insurance system and the flexible old-age social insurance system will become a dominant mode in Shanxi Province. The practice in Shanxi Province is likely to become a model for the whole nation.

Second, provide basic medical insurance by adhering to the principle of low-level multi-faceted provision with wide coverage. Practice different medical health insurance models in line with the local economic levels. In poor areas, insurance should be given to people who have minor diseases; and in areas that are not poor, insurance should be given to people who have serious diseases. In this way, medical insurance will meet the basic requirements of the affected farmers.

Third, establish a social insurance foundation for the farmers affected by land acquisition. The foundation can be financed through the following channels:

- (i) Funds appropriated by the government that represents the public financial responsibility undertaken by the state or the Government. The funds include the money allocated for the management and operation of the social insurance institutions for such farmers, the special subsidies for the old-age pension insurance and medical insurance programs, as well as expenditures for reducing charges for farmers and for improving their livelihood.
- (ii) Funds taken from the Governments' net returns from land remise.
- (iii) Investment returns from national social insurance foundation, social donations, realized income from state assets, and other sources. The Government should take the lead to provide funds to the social insurance foundation for farmers affected by land acquisition. If the funds cannot be put in place the same year, then they can be paid within several years. However, a financial allocation plan for each year should be made so that there will be no shortages in funds.
- (iv) Reform the land acquisition system and improve the compensation standard; thus, creating necessary policy room for providing social insurance for farmers affected by land acquisition. Revise provisions of the Land

Administration Law that cannot meet the requirements of the market economy and cannot protect farmers' rights and interests. Change the current land acquisition system because its compensation standard is too low, and it is not in line with basic rules of the market economy as well as urbanization.

- (v) Various factors such as original returns from the land, future uses, location, quality, and supply-demand relations of the acquired land should be considered. Local social insurance level of urban residents should be incorporated with future needs of farmers whose land has been acquired. On this basis, an assessment method and a rational compensation standard should be formulated with a view to creating necessary space for solving the basic living, employment, and social insurance of these farmers. A fundamental principle for the minimum compensation standard should be made in accordance with the actual social costs of resettlement. The principle should also be based on the proper resolution of these farmers' basic livelihood, job training, and social insurance. Appropriately improve the compensation standard, improve the compensation allocation method and payment mechanism, and prevent deductions from compensation.

C. Define the Key Government Responsibilities in Resettling Affected Farmers

Specify that the governments are responsible for dealing with the issues concerning basic living, employment training and social insurance for the farmers who lose their land because of land acquisition by the state. Introduce a mechanism for sharing responsibility among the governments, collectives, and individuals.

Improve the calculation method for resettlement subsidies and compensation for acquired land. Fix the level of subsidies or compensation to meet the actual social need, including covering the cost of basic living, employment training, and social insurance. The security level should not be less than the minimum living security standard of the local residents, nor less than 2-year unemployment insurance premium and necessary employment training fee, but also establish a fund focusing on medical insurance for serious illnesses.

Unify the concept of subsidies for resettlement and compensation for acquired land as “compensation for resettlement”, which is subdivided into compensation for basic living, compensation for employment training, and compensation for social insurance.

Bring the farmers affected by land acquisition into the local social insurance system. Provide unemployment insurance for affected farmers that cannot find jobs in time. Provide the minimum living security standard for those who are still poor because they lack the skills to be employed after enjoying 2-year unemployment insurance.

D. Improve the Taxation Policy Giving Priority to Affected Farmers

Establish the taxation remission policy and subsidies policy for old-age insurance for farmers affected by land acquisition, and establish schemes exempting the interest tax on the old-age insurance funds and other supporting taxation schemes.

Improve and refine the existing taxation system for acquired land. Make appropriate adjustments on taxes arising during the process of land acquisition, mainly include occupancy tax for cultivated land, expenses for reclamation, the new added compensation for using construction land, the new pot garden development funds, the expenses for administration of acquired land, the expenses for the restoration of forest vegetation, the funds for water conservancy construction, the surcharge on education and so on. Enhance the compensation to the farmers without increasing the cost for land to the land user so as to generate good relations among the Government, the land user, the farmers’ collective and the individuals in terms of the allocation of the income from land, and finally protect the interests of the farmers. Set up a real estate tax and increase the value added tax on land.

Reform the existing budgetary estimating system for investment in construction projects and increase the proportion of expense for acquired land in investments for construction projects.

E. Improve Women’s Interests and Land Rights

Explore the transfer method for land use rights in the process of population migration in a bid to solve the contradiction between changes in marital relations and the immovability of land, to seek a balance between

land stability and land readjustment. It is hoped that this will help resolve the conflict between the long-term stability of land contracting rights and the fair adjustment of land. Governments at all levels are advised to attach great importance to land contracting rights for rural women with the hope of promoting agricultural development, maintaining rural stability, as well as safeguarding farmers’ interests. Publicize and carry out the Rural Land Contracting Law. Clarify and correct folk based traditions and regulations that are against the principle of gender equality and violate women’s land contracting rights. Enhance farmers’ awareness of safeguarding women’s land rights in line with laws. Local governments should put in place relevant policies to ensure the enforcement of the gender-equality principle in a forward-looking manner to conduct land expropriation, practice shareholding or joint shareholding systems as well as urban renovation. The Government should also regularize the behavior of the collective economic organizations; supervise the village committee to use the collective assets, land settlement payments as well as land compensation payments.

Administrative departments in rural areas should establish or improve the land contracting intermediation institutions, and improve the intermediation procedures to properly solve land disputes between women and village committees. Meanwhile, a nationwide investigation into the land contracting rights for women should be carried out. And for those who have not been given contracted land at the second-round land contracting, taxation and charges and relevant policies should be adjusted, and compensation should be provided. The Supreme Court should formulate judicial explanations and specify that farmers whose rights are violated by the village committee can receive legal aid. Guidance should be provided to local courts in managing typical cases, such as the violation of married women’s rights so as to earnestly protect women’s rights. Women’s federations at all levels should organize publicity and training activities to inform people about relevant laws and policies concerning gender equality, enhance local organizations and people’s awareness of women and children’s rights, and improve rural women’s capacity for protecting their own rights. Intensify investigation and research and bring into full play cooperation between different organizations. For serious and typical cases that violate rural women’s land contracting rights, local governments should cooperate with relevant organizations to persuade people patiently to reach an early solution.

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