

RESETTLEMENT PLAN¹

A. Background

1. The project will improve infrastructure facilities and the urban environment in five border counties of Altay in Xinjiang Uygur Autonomous Region (XUAR). The construction of all subcomponents requires some land acquisition and population resettlement. Based on the extent of the impacts, five full resettlement plans have been prepared for the five counties. The resettlement planning and implementation is designed to ensure that the affected persons² will be better-off or at least not worse-off as a result of the project.

B. Resettlement Impacts

2. In total, the project will acquire about 51.47 hectares (ha) of collective land, of which 40.77 ha (79%) is classified as grassland, and 68.70 ha of state-owned land will be acquired. A total of 16,143.76 square meters (m²) of residential houses and 2,772.89 m² shops and enterprises will be demolished. In total, permanent land acquisition and house demolition will affect 205 households and 657 persons in five counties. Among these, 353 ethnic minority people will be affected, accounting for 54%. The impacts of the project are summarized in Table 1.

Table 1: Summary of Land Acquisition and Resettlement Impacts

County	Permanent Land Acquisition (ha)			House demolition (m ²)		AHs	APs	Ethnic Minorities	
	Collective	Of which		State owned	Residential				Shops and enterprises
		Grassland	Cultivated land						
Buerjin	19.15	19.15		0.89	3,608.07	1,630	59	204	151
Fuhai	8.62	0.00	8.62	25.47	6380.22	398.9	40	159	37
Habahe	0.00	0.00		31.01	1741.81	0	55	79	7
Jimunai	13.06	10.98		5.97	3611.66	743.99	35	122	78
Qinghe	10.63	10.63		5.36	802		16	93	80
Total	51.47	40.77	8.62	68.70	16,143.76	2,772.89	205	657	353

AH = affected household, AP = affected person, ha = hectare, m² = square meter.

C. Policy and Legal Framework

3. Compensation for permanent land loss is based on the Land Administration Law of the PRC (2004), Grassland Law of the PRC (2002) and Forest Law of the PRC (1998). House demolition is based on the Regulation on the Urban Housing Demolition of the PRC (2001). In addition, XUAR also issued related regulations. All these policies have provided essential guidelines for the resettlement plan. The prepared resettlement plans comply with PRC laws and regulations of resettlement and the Asian Development Bank's (ADB) Safeguard Policy Statement (2009). The resettlement principles established for the project are (i) land acquisition

¹ This is a summary resettlement plan. The full resettlement plans are available at: http://www.adb.org/Documents/Resettlement_Plans/PRC/43024/default.asp

² ADB's Safeguard Policy Statement (2009) trigger for involuntary resettlement changed the terminology of "affected persons" to "displaced persons" which are defined as persons who are physically and/or economically displaced as a result of involuntary acquisition of land or involuntary restrictions on land use or on access to legally designated parks and protected areas. In the PRC, although the resettlement plans maintain the original terminology of "affected persons", the definition is equivalent to ADB's definition of "displaced persons".

and involuntary resettlement should be avoided or minimized where feasible by developing and comparing a series of design alternatives; (ii) compensation and entitlements provided are based at replacement costs and must be adequate to allow those affected to at least maintain their pre-project standard of living, with the prospect of improvement; (iii) the land temporarily occupied and the period of disruption are to be kept to a minimum; (iv) all affected persons, legal and illegal, are to be taken into consideration and accounted for; (v) the per capita landholding after land acquisition should be sufficient to maintain the previous livelihood standards; (vi) where land allocation per capita is not sufficient to maintain the previous livelihood standards, other income-generating activities will be provided for; (vii) a preferential policy will be provided to vulnerable groups in such things as compensation, creation of special fund, minimum living guarantee, and employment; (viii) all affected persons will be adequately informed about eligibility, compensation rates and standards, livelihood and income restoration plans, and project timing; (ix) no land acquisition shall proceed before affected persons are satisfied with the schemes for compensation and resettlement; (x) the resettlement budget shall be enough to cover all impacts that are caused by the project construction; and (xi) close monitoring and timely actions will be carried out to identify and resolve any problems.

D. Compensation Standard, Income, and Livelihood Restoration Scheme

4. The grassland land acquisition and resettlement compensation standards will follow the Document [XJJF (1999) Number 3] and Document [XFGJF (2005) Number 1138] of the XUAR Development Planning Commission and Department of Finance. Compensation rates of cultivated land acquisition and resettlement subsidy in the only affected Fuhai county follows the Measures of XUAR for the Implementation of the Land Administration Law of the PRC (XUAR PC [1999] Number 9-13, effective from 1 October 1999) and XUAR Development Planning Commission, Document DOF [XJJF (2001) Number 500]. The land loss farmers/herders will receive a compensation rate ranging from CNY250 to CNY1,638 per mu for grassland according to different grades. Farmers in Fuhai County will be provided with replacement land from the government reserve land or cash compensation. The compensation for cultivated land acquisition in Fuhai County is CNY32400 per mu, which is rated at 27 times of the land's Average Annual Output Value in the past 3 years. Compensation for standing crops, auxiliaries, and other assets will also be paid directly to the affected persons. For people losing housing in rural areas, there are two resettlement options: to receive cash compensation or cash compensation plus provision of house plots for house construction by affected persons themselves. In urban areas, they can get cash compensation or choose the resettlement houses provided by the government. Assistance will be provided to construct new houses or find available housing close to their original homes, if that is their preference. The respective county project management offices (PMOs), implementing units, and local town/township governments will provide necessary assistance for house construction and relocation during resettlement implementation. The measures for economic rehabilitation include (i) provision of employment opportunities during the project construction and operational phases, (ii) development of economic crops with higher economic value, and (iii) provision of technical training to affected persons to improve their skills for other livelihood opportunities.

E. Information Disclosure, Participation, and Grievances

5. All of the affected households and villages/communities, village leaders and town/township and county governments have been involved in the project impact and social-economic survey. On various occasions during meetings, interviews, focus group discussions, public consultation workshops, and community consultation meetings, local representatives have participated in the planning and concerns have been integrated into the

five resettlement plans. Before implementation, the Altay PMO, county governments, implementing units, and village leaders will further discuss and consult with the affected persons' representatives the impacts on every village/community and the detailed compensation plan to ensure affected persons' interests are protected and to provide employment opportunities for their livelihoods as a result of project implementation. County governments have disclosed the resettlement plans in community and village offices and to affected people in Chinese and in the local Kazakh language. The resettlement plans have been posted on the ADB website. Resettlement information booklets were distributed to affected households in October 2010. The information booklet contains the resettlement scope, project schedule, compensation rates for land and other assets, relocation and economic rehabilitation strategies, and grievance redress mechanisms.

F. Implementation Arrangement and Schedule

6. Each county PMO and implementing unit will have at least two full-time staff responsible for land acquisition and resettlement, respectively. The staff will take the lead responsibility for coordinating the planning, implementation, financing, and monitoring of land acquisition and resettlement. They will work closely with relevant village officials, land administration bureaus, and house demolition offices, and will be responsible for supervision and monitoring of resettlement (e.g., delivery of entitlements, selection of new housing sites, restoration of incomes, provision of replacement land, and other economic measures). A training program will be organized for the resettlement officers. Resettlement plans will be updated based on final design and detailed measurement survey and sent to ADB for review and approval prior to commencement of land acquisition and house demolition and award of civil works contracts. All compensation and resettlement assistances will be paid to affected households prior to commencement of construction activities. The land acquisition and house demolition will commence from May 2011.

G. Resettlement Cost and Fund Management

7. The cost estimate for land acquisition and resettlement for all the subcomponents in five counties is equivalent to CNY56.9 million or \$8.01 million in 2010 prices, including contingencies. Resettlement implementation will be completed prior to subcomponent construction. The implementing units and the county governments will ensure that such funds are made available on a timely manner.

H. Monitoring and Evaluation

8. Internal and external monitoring of resettlement plan implementation will be conducted. Monitoring methodologies are specified in the resettlement plans. Each implementing unit will carry out internal supervision and monitoring to ensure compliance with the provisions of the resettlement plan. The PMO and implementing units have agreed to a set of supervision milestones with ADB, to ensure timely and effective implementation of resettlement activities. An independent agency will be engaged to conduct external monitoring and evaluation. Semiannual external monitoring reports will be forwarded directly to both the PMO and ADB.