

It is vital to our living please strictly examine compliance with the ADB rules

Respected Secretary:

We are peasant residents (not Fuzhou municipal registered residents) living in Gaohu Village (south to bridge), Gaishan Town, Cangshan District, Fuzhou city, Fujian province. The curtilage where our houses are located is part of the integrated plan for building sites by this village. Our houses were built and put into use in 1994, composed of three floors with an average building area of 180 square meters. Due to the Project of inland river regulation in Fuzhou Nantai Island financed by ADB, we are going to lose our houses and have nothing to live on. Currently, most buildings have been removed and agreements on removal and reimbursement are going to be signed soon.

The project name: Project of Inland river regulation in Fuzhou Nantai Island

Project location: Cangshan District, Fuzhou city, Fujian province

This is a big project of great influence. During the process of regulating Yuejin River and Longjin river in 2008, the removal company, the former Fuzhou Diyuan Removal office, which in charge of that two sub-projects, didn't comply with relative rules in "The difference of removal policies between China laws and ADB" of "Plan of Removal and re-locating --- Project of Inland river regulation in Fuzhou Nantai Island --financed by ADB", **clause 3.3**, page 30, issued in Sep 2004; especially with **section 3.3.2** "non-equal rights" which says for this project, all affected people, no matter legally or illegally, having property or no property, including floating population, should be protected. But the removal company ignored these stipulations; instead they use "Enforcement regulations of Removal and Re-locating for Inland river regulation project (Yuejin River and Longjin River)"(hereinafter "**Enforcement regulations**") as standard. The policies from **Enforcement regulations** only cover those registered residents that belong to collective economy organization of that village. Because we are not members of that economy organization, those policies couldn't be applied on us. Furthermore **Enforcement regulations** discriminate against non-proprietary houses. They offer to reimburse us only rmb350 or nothing for non-proprietary houses, and don't re-locate for us at all. We think these regulations have violated ADB relevant rules on re-locating. If these regulations are going to be enforced, our lives will be totally ruined. We are peasants in fifties and can hardly work for living now; We have our own parents and young kids to support. We have been working Fuzhou for so many years, having nothing valuable but our houses.

We rely on the authoritative, fairness, openness and responsibility of ADB organization and hope ADB to supervise and require the removal company to abide by the rules stipulated by ADB itself and show fairness to our vulnerable population. As you know the mandatory removal of our houses will leave us totally homeless.

We started to complain to related departments and ask them to resolve this problem for us right after we learned about the **Enforcement regulations** but nobody agreed to abide by the ADB rules.

Here are the main efforts we made to resolve this problem: (1) Between Feb 1st and Apr 30th, we went to the removal office for Yuejin and Longjin river in Gaohu Village committee building many times trying to learn more information and let them know our concerns. The person in charge of this issue only answered “we only work based on the **Enforcement regulations**”. And he didn't report our complaints to senior departments. The above office is located on 3rd floor of Gaohu village committee building.

(2) Mar 5th, 2008, we complained to Cangshan district government about the violation by the removal company and their discrimination against non-proprietary houses. No answer is available yet. Cangshan district email box: fzcangshan@sina.com

(3) Mar 14th and 19th, we complained to Fuzhou municipality on this violation again and were replied that “The removal company's execution according to the enforcement regulations doesn't violate anything; non-proprietary houses can only be reimbursed at rmb350 or nothing”. Fuzhou Municipality totally ignored the relative ADB rules on this project. So no progress has been made yet. Fuzhou Municipality web: <http://www.fz12345.gov.cn>

(4) Mar 24th, 2008, we appealed to Fujian Provincial government and were replied that “The removal company's execution according to the enforcement regulations doesn't violate anything; non-proprietary houses can only be reimbursed at rmb350 or nothing”. Fujian provincial government ignored the ADB rules as well. Fujian provincial government web: <http://218.85.73.168/>

(5) Apr 30th, 2008, we complained to Fuzhou ADB-Loaned project office and they replied that they didn't know ADB rules related to this project thus they couldn't resolve this problem for us. The office number: +86 591 83367591.

(6) June 16th, 2008, we complained to ADB Special Office of Project Coordination, no answer received yet.

(7) Jul 17th, ADB designated Professor Zhong Shuiying, chief of engineering study center of Wuhan University to talk to us. No further information available yet.

(8) Nov 17th, four people from ADB side including Prof Zhong came to Fuzhou but no progress made, our problem is still here. So we beg ADB to initiate compliance review now.

It has been 8 months since Mar 31st, 2008, the deadline stated in Enforcement regulations but no department attached any importance to what we complained. All of them ignore the ADB rules on removal and re-locating and leave us helpless.

For the good of our rights to live and reside, we hope work force from your office can investigate the violation by removal company and urge them to abide by ADB rules on reimbursements.

Besides materials referred to above, there are other materials that can help you understand our situation. Here we attach them and their origins as following: (1) Removal and re-locating plan--Project of Inland river regulation in Fuzhou Nantai Island –financed by ADB; from ADB web: <http://www.adb.org>; (2) Enforcement regulations of Removal and Re-locating for Inland river regulation project—Yuejin River and Longjin River, by Fuzhou Diyuan Removal office; and (3) ADB Accountability Mechanism from <http://www.compliance.adb.org>.