Resettlement Planning Document

Resettlement Framework
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Hunan Flood Management Sector Project

Prepared by Hunan Provincial Water Resources Department, Hunan Hydro and Power Design Institute.

The resettlement framework is a document of the borrower. The views expressed herein do not necessarily represent those of ADB’s Board of Directors, Management, or staff, and may be preliminary in nature.
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1. General Description of Project

Hunan Province is located on the south bank of the middle reach of the Yangtze River, and nearly 70% of the cities in Hunan Province are located in mountainous areas or hilly areas. These cities are the financial, transportation, commercial, technological, educational and cultural centers in the local regions, playing an important role in local economies. However, most of these cities are affected by large and frequent floods. Due to slow construction of flood control projects, most of these cities only have a 1 in 4 to a 1 in 20 year return period standard of flood protection, and a 1 in 3 to a 1 in 8 year return period standard for drainage. Only a few cities in Hunan currently have protection against flood to the official design standard, and some cities remain unprotected or only partially protected. Frequent floods and drainage disasters seriously impair the economic development of the affected cities which greatly affects the life and property of the city residents (urban and rural).

Under the Hunan Flood Management Project, only those cities at county-level or above that are seriously affected by floods will be included. This includes 8 municipal cities (Zhuzhou, Xiangtan, Hengyang, Yongzhou, Loudi, Shaoyang and Huaihua) and 1 capital city of an autonomous prefecture (Jishou), and 27 county cities (or county level cities) under the jurisdiction of these 9 municipalities (prefecture). This gives a total of 36 subprojects (cities) that are included in the Project, distributed along the 4 main rivers of Hunan Province (Xiangjiang, Zishui, Yuanjiang and Lishui). A map of distribution of 36 subprojects is presented in Annex 1.

The Project aims to safeguard people’s life and property and boost the rapid and stable development of the economy by providing urban flood control and drainage works, coupled with improved flood management measures. The 36 urban flood control subprojects will include the rehabilitation or construction of: (i) 337.8 km of earth dikes and 232.2 km of concrete or masonry floodwalls; (ii) 405 sets of sluice gated culverts; (iii) 126 pump stations with about 400 pump/motor sets (70,000 kw); and (iv) 87.4 km of flood diversion and/or drainage channels.

2. Project Impacts

Under the Project, land acquisition and demolition of buildings is mainly related to the rehabilitation and construction of dikes, sluice gated culverts, pumping stations, and flood diversion channels, as well as temporary land occupation for soil borrow and spoil deposition areas and related construction activities. The affected areas for land acquisition and resettlement are defined according to the recommended engineering works as per the subproject urban flood control feasibility studies, using 1/2000 topographical maps for each city.

According to initial investigation and surveys, land acquisition and demolition for the 36 flood control subprojects will affect 352 villages (or residential committees), 101 townships (or towns or sub-districts), and 47 counties (pr districts). Overall, these projects would acquire a total of 863 ha (12,940 mu) of land, including about 463 ha (6,950 mu) of farmland (54%). The loss of farmland is equivalent to 13,969 persons needing full economic rehabilitation. A total of 1 million square meters of buildings will be demolished, including 709,899 m² of residential structures (71%) and 292,933 m² of non-residential structures (29%). About 5,236 households with 20,778 persons will be relocated and 95 enterprises and 132 shops will be affected. During project construction, a total of 613 ha (9,200 mu) of land will be temporarily occupied. Existing infrastructure facilities, such as power transmission lines, irrigation canals, and roads will either be temporarily disrupted or partially realigned around the new works. A list of number of affected households and various resettlement impacts for all 36 subprojects is provided in Annex 2.

3. Preparation and Approval Procedures for Resettlement Plan

For all of the Hunan Flood Management Project’s subprojects, where land acquisition and resettlement is necessitated, individual resettlement plans must be prepared and implemented according to the policies confirmed in this RF. Following the ADB’s operational procedures for involuntary resettlement, detailed RPs have been prepared for eight core subprojects (Yongzhou, Wugang, Loudi, Leiyang, Chenzhi, Huaihua, Xinhua and Sangzhi). For each of the remaining 28 non-core subprojects, the Provincial Project Management Office (PPMO) and the Subproject Project Management Office’s (LPMO) will need to organize, prior to implementation, a detailed resettlement impact survey to be carried out by the Design Institutes. For the sub-projects that affect less than 200 people, a short Resettlement Plan should be prepared according to this RF. For sub-projects that affect more than 200 people, a full Resettlement Plan should be prepared in accordance with this RF. All the RPs will be reviewed by the PPMO before being submitted to ADB for approval prior to implementation. PPMO, LPMOs, the independent resettlement monitoring agency, and the ADB will supervise and monitor the resettlement implementation for individual subprojects.

According to ADB procedures, the short RP should include the following contents:

1. Survey of the probable resettlement impact and an evaluation of the affected assets;
2. Statement on resettlement compensation and other assistance measures;
3. A collection of the opinions from relocatees on acceptable alternative schemes;
4. A description of the RP implementation institutions, process and appeals procedure;
5. A description of the arrangements for monitoring and implementation; and
6. An implementation schedule and cost estimate.

The full RP should include the following contents:
1. A general description of the subproject;
2. An assessment of the subproject impacts;
3. An assessment of the natural and socio-economic conditions of the Project-Affected Areas;
4. A statement on the legal framework and applicable policies;
5. A description of the planned resettlement measures;
6. A description of the responsible institutions and their duties;
7. A description of the process for public participation and incorporation of the subproject area residents views and suggestions for the resettlement area;
8. A description of the appeals procedure;
9. A description and outline of the environment protection and management procedures;
10. Detail of the monitoring and evaluation requirements and procedures;
11. A statement on the compensation fees and related budget; and
12. An outline for reporting the resettlement progress.

4. Policy and Legal Framework

4.1 Policy and Objectives

According to the principles of the Involuntary Resettlement Policy of the ADB, resettlement and land acquisition should be avoided or minimized wherever possible, but where such impacts cannot be avoided, then each subproject that involves land acquisition and involuntary resettlement will have to comply with the general principles of this Resettlement Framework (RF). Once specific land acquisition and resettlement impacts are confirmed, a short or full RP must be developed based on the policies and procedures set forth in this RF.

The objective of this RF is to ensure that all the affected people (permanent and temporary) whose business or employment place or farmland are acquired, or whose houses are demolished, or whose production operations are affected, or whose crops, trees and property are affected, whether in part or in full, will be given reasonable compensation for their losses and/or all necessary assistance so that they may improve or at least keep or re-attain their original production facilities or capacity and their living standards.

For the preparation of this RF, the Involuntary Resettlement Policy of the ADB has been adopted. Therefore, the following general principles are applicable to achieve these objectives.

1. The resettlement plan should follow the basic principles of various national laws and local regulations for land acquisition and demolition together with the ADB’s Policy on Involuntary Resettlement.
2. The resettlement plan should be based on a socio-economic survey and a detailed impact survey.
3. The project design should be optimized in order to protect farmland and minimize the area affected by the land acquisition and demolition.
4. All compensation and the resettlement of involuntary relocatees are part of the project costs, and sufficient funds should be provided to the affected people so that they are not disadvantaged by the project.
5. The plan should ensure that, after resettlement, the living conditions, productivity and income level of all the affected people will be restored to at least the level they had before resettlement.
6. Compensation for houses and other assets should be based on replacement value, and no depreciation or any other kind of discount should be applied.
7. All the people and the buildings that are adversely affected by the project should be compensated.

8. Vulnerable groups should be provided with special attention and assistance, such as helping them to move to a new area, or assisting them in economic rehabilitation.

9. In order to ensure that living standards and income levels will not decrease, all laborers affected by land acquisition should be provided with new employment or economic packages. Emphasis will given to providing replacement farmland, supplemented with non-farm activities. If feasible, the affected farmers could choose self-employment.

10. There should be full disclosure of the resettlement framework and resettlement plans, including updates, to affected people prior to land acquisition or dispossession of their assets.

11. The relocatees should be encouraged to participate in the development and implementation of the RP. The policies and standards for compensation should be published before any resettlement is started.

12. Complaints and appeals by the affected people should be considered seriously; and any problems and difficulties encountered by the affected people during resettlement implementation should be resolved in a timely manner.

13. Resettlement organizations should be strengthened at all levels, through staff training, and by improving the coordination between all relevant institutions for more effective resettlement implementation.

14. The project implementation agencies should be responsible for the internal monitoring and evaluation of the resettlement activities; progress reports will be submitted to ADB quarterly.

15. External monitoring and evaluation should be carried out by an independent monitoring agency; monitoring and evaluation reports will be submitted to ADB semi-annually.

16. During RP implementation, any important changes, such as change to entitlements or compensation standards, or changes to the location or scale of land acquisition and building demolition, or a change in scope of works for the sub-project, should be reported to ADB prior to any land acquisition or civil works being taken. Where necessary, the RP should be updated and submitted to ADB for approval.

4.2 National Laws and Regulations


5. Urban Houses Demolition Administration Regulations of the PRC. (The 305th State Council Decree of the PRC, issued on June 13, 2001, starting implementation since November 1, 2001)

6. Provisional Regulations on Cultivated Land Acquisition Tax of the PRC. (The GF [1987] NO. 27 issued by the State Council: A Notice about Issuing by the State Council)

4.3 Laws and Regulations of Hunan Province

1. Methods of Hunan Province for Implementing the Land Administration Law of the PRC. (Passed in the 14th Meeting of the 9th People’s Congress Standing Committee of Hunan Province on March 31, 2000)

2. Methods of Hunan Province for Implementing the Urban Houses Demolition Administration Regulations of the PRC. (The 157th Decree issued by People’s Government of Hunan Province on July 12, 2002, starting implementation since September 1, 2002)

3. Implementing Methods of the Cultivated Land Acquisition Tax of Hunan Province (Amendment) (Issued by the Hunan Province People’s Government on October 4, 1987, and amended as the decision about amending Implementing Methods of the Cultivated Land Acquisition Tax of Hunan Province by Hunan Province People’s Government on May 4, 1998)

4.4 ADB Resettlement Policies


2. ADB Policy on Indigenous People (issued in 1999).

5. Resettlement Compensation Entitlements and Standards

5.1 Resettlement Compensation Qualifications

The policies on compensation entitlement are aimed at compensating the affected persons for the property loss caused by the Project (and sub-projects), and providing a basis for rehabilitation and improvement of the livelihood of affected people (APs) in a timely manner. Adequate compensation or assistance should be provided to all owners or users of buildings and lands in the Project land acquisition and demolition area. The principles to be adopted for compensation and entitlements should follow the national laws and provincial regulations on land acquisition and resettlement, as well as policies of ADB, as follows:

1. The affected people who lose the cultivated land due to subproject construction will have the right to either obtain replacement land through land readjustment within or near the original villages, or equivalent cash compensation. While the resettlement subsidy will be paid directly to the affected households, the land compensation will be utilized to improve farming production by building irrigation facilities, modifying cropping patterns, developing secondary and tertiary activities, and helping the affected people to find jobs. The loss of young crops, income loss, infrastructure facility damage and farmland reclamation made necessary by temporary land occupation shall be compensated accordingly.

2. Resettlement housing or cash compensation at replacement value should be provided to people who lose their houses and auxiliary structures because of the subproject construction. The choice of a replacement housing location should be appropriate for the production, livelihood and living standards of the affected people. Structures and other property that are adversely affected by the project shall be compensated at the replacement value. A moving allowance and transfer assistance will be provided to the affected people; the amount of such assistance will be determined in advance according to the prevailing standards at the subproject location.

3. People who lose their production and business operations will be provided with alternative and acceptable production sites by the subproject implementation agencies. Adequate compensation should be paid for the relocation or loss of equipment that has to be moved or decommissioned. Compensation should be provided for lost wages and lost production during the transition period. Compensation should be paid for all or part of the affected structures and other fixed assets at replacement value.

5.2 Resettlement Compensation Standards

The resettlement plans for individual subprojects should conform to the national and provincial laws and regulations. The actual compensation standards for land acquisition and demolition should be determined based on the actual situation in the subproject area. The principles and basis for determining compensation are as follows:

1. Land Acquisition

Compensation should be in line with the PRC Land Administration Law (1998) and the Hunan Provincial Implementation Decree adopted in 2000, which stipulates the regulations for land compensation, resettlement subsidies, young crop compensation, house compensation and other measures to carry out resettlement. According to the policy, the compensation for farmland will be based on the average annual output value (AAOV) over the past three years and multiples set forth according to the per capita land holding among affected villages. For temporary land occupation, the compensation will be based on the average output value, length of occupation, cost of land reclamation. Any permanent land acquisition or temporary land occupation that affects green crops or trees will require compensation to be paid to the owner based on the harvest value of lost green crops and the replacement value of the trees.
2. House Demolition and Attachments

For structures to be demolished, compensation will be set at the replacement value, based on analysis of material costs for a replacement structure in each subproject area. The compensation for various attachments, infrastructure facilities, and moving allowance will be set up in accordance with the compensation approved for similar projects in the project counties.

3. Non-Residential Structures

For non-residential structures, compensation will be set at the replacement value, based on an analysis of material costs in the subproject area. In terms of compensation for equipment relocation, moving allowance, lost wages and income during the temporary interruption, this will be determined in accordance with actual costs.

4. Special Facilities

The compensation payable where special facilities are affected will be determined in accordance with the relevant regulations and estimates quota, with reference to the unit costs for similar subproject areas.

6. Rehabilitation Measures

As the subproject works are generally located alongside the river over substantial distance, the land acquisition area is relatively dispersed. For most affected villages, the necessary demolition and acquisition will not have a serious negative impact on the overall village production systems and livelihood of the people. Following the principle of "resettlement as part of development", land and agriculture based rehabilitation measures should be defined in the RPs as the main economic solution for individual subprojects. The overall rehabilitation approach should be as per the following:

1. Economic Rehabilitation Planning

Economic rehabilitation as part of resettlement will mainly involve the development of agricultural production, which includes readjustment of the cultivated land within the original village and village group, modification to the cropping patterns, improving low yield cultivated land, and changing dryland into paddy land. For land loss farmers, the main purpose is to increase the current land resources potential and to ensure that each resettled person can have a minimal grain production capability. In order to increase incomes of the affected people, appropriate animal husbandry, secondary and tertiary activities should be encouraged according to the particular economic conditions in the subproject city. Monetary compensation can also be provided for farmers located in urban areas who do not need any replacement allocation and can invest and participate in alternative non-farm income generating activities. Gender consideration should also be included in developing appropriate economic rehabilitation measures.

2. Rehabilitation of Relocated Households

In order to minimize the production and livelihood impacts caused by project construction, the rural relocated households will be resettled in the vicinity of their original residences within their current villages. For relocated urban residents, they will be provided with the option to choose between exchanging property rights in another place according to the urban land use plan, or a cash compensation settlement so they can purchase housing according to their own needs.

3. Rehabilitation of Affected Enterprises and Institutions

Cash compensation will be adopted for affected enterprises/institutions. Construction units shall be responsible for the restoration of affected infrastructure facilities. For those enterprises that remain in their current locations, they should make their own arrangements to build any replacement buildings. For those enterprises that need to be relocated, the project office and the local government in the project area should assist them to identify an alternative site in accordance with the urban land use plan. Compensation should also be provided for lost wages and lost production during the process of reconstruction and relocation. Affected workers will be assured of continued employment, either by the enterprises or by local government and such costs will be included in the compensation paid by the Project.

4. Rehabilitation of Small Shop Owners

For small shop owners that are affected by the subproject development, cash compensation will be provided based on replacement value of lost of damaged assets, moving and transition allowances, and lost wages and income during transition. The project office and local government should provide assistance to them during the process of relocation and rehabilitation.

5. Rehabilitation of Vulnerable Groups

When implementing resettlement, special attention and preferential treatment should be given to rehabilitating the vulnerable groups. Each subproject RP will include eligibility criteria and special entitlements for vulnerable people; these people will be identified during the detailed measurement survey. The project will provide financial and material assistance, as well as compensation and rehabilitation packages, as specified in the resettlement plan.
As land acquisition is quite variable between the individual subprojects, and each area has a different range and availability of natural resources and infrastructure facilities, the rehabilitation schemes for each subproject will by necessity have to consider a range of different solutions and procedures to resettle and compensate people and businesses for the enforced changes required to accommodate the project works. These solutions and procedures should be detailed in the RP for each subproject. A general entitlement matrix indicating basic principles and entitlements for different types of impacts is included in Annex 3.

7. Institutional Arrangements

For Hunan Flood Management Project, the PPMO will be responsible for management of the overall project implementation. The LPMOs for the 36 subprojects are the implementing agencies who have the subproject specific responsibility to implement the RPs according to this RF. The PPMO will authorize the LPMO of each subproject city to conduct regular monitoring, supervision and reporting of the resettlement implementation as per the requirements of this RF and subproject RPs. The institutions to be responsible for the planning, management, implementation and monitoring of the resettlement activities include:

1. Provincial Resettlement Leading Group for Hunan Flood Management Project
2. PPMO for Hunan Flood Management Project
3. Resettlement Office of PPMO
4. Municipal (County) Project Resettlement Leading Group
5. Municipal (County) LPMOs
6. Resettlement Offices of Municipal (County) LPMOs
7. Town (township, sub-district) Resettlement Implementation Offices
8. Village (Residential) Committee, and Villagers’ Group
9. Selected Design Institutes for Resettlement Planning
10. Selected Independent Resettlement Monitoring and Evaluation Institution

In the RP for each subproject, details should be presented on the responsibility, staff, relationship of these institutions, and detailed training programs that are required (see RPs for core subprojects). The PPMO of the project has extensive experience with implementation of World Bank funded projects, which also involve with land acquisition and resettlement, most staff of 36 LPMOs do have experience in implementation of land acquisition and resettlement with the domestic resettlement policy, but they have limited experience with ADB resettlement policy requirements. A two-day resettlement workshop on ADB resettlement policy and practice was conducted for staff of all 36 subprojects during Loan Fact-finding Mission. Additional training plan for resettlement staff of each subproject will be included in individual resettlement plans.

8. Public Consultation, Information Disclosure and Participation

Prior to implementing the Project, public consultation and information disclosure should be undertaken within the project area. Knowledge and acceptance of the proposed compensation policies and rehabilitation measures for the affected people is a precondition for approval of the resettlement plan. The RF was provided to local government in all sub-project cities in June 2005. For the sub-projects, resettlement information booklets will be distributed to affected persons to provide details on impacts and compensation rates prior to ADB approval of each sub-project. The RPs will be made available in the relevant government offices at municipal, county, and township levels. Any updated RP will be disclosed to the affected people prior to ADB approval. During implementation, disclosure of impacts measurements, compensation entitlements and payments will be publicly disclosed in each village or residential committee.

Public participation includes involving the affected communities and project stakeholders in the whole resettlement process. It is important that an activity management mechanism is established that will encourage the affected people to actively participate in the resettlement activities. The project affected people should be encouraged to participate in the overall process of compiling and implementing the resettlement plan. To achieve this, the communities and APs should be invited to consultation meetings during the preparation of resettlement plan, so that they can become fully informed of the RF and the planned developments. The PPMO and LPMOs should solicit the opinion of the APs on the resettlement and compensation policies, as well as from the local government and resettlement representatives. Everyone who may be affected by the subproject and the resettlement plan should be encouraged to participate in discussions and help formulate the decisions for the resettlement and reconstruction work.
9. Appeal Procedure

The Resettlement Plan is prepared in accordance with the needs of the whole subproject. During implementation of the RP, APs complaints may arise because there has been some problems or change to the actual subproject implementation activities which had not been foreseen when the RP was prepared. In order to ensure that the affected people can voice their complaints when any problem arises for the land acquisition and/or resettlement of the APs, an appeal procedure is defined within this RF and in the Resettlement Plans. The purpose of this appeals procedure is to provide a mutually satisfactory means for rapid response to any APs complaint, to avoid any likelihood of a complicated legal procedure. The detailed procedure is as follows:

- If any AP does not agree with the compensation or resettlement plan, he/she can voice their complaint to the village committee (residential committee). The village or residential committee should keep records, consult with the local resettlement office and provide a reply to the affected people within 10 days.
- If the affected person is not satisfied with the reply, they can appeal to the township or sub-district resettlement working group, which will take records, consult with the local resettlement office and provide a solution to the affected person within 10 days.
- If the affected person still does not accept the proposed resolution, then they can appeal directly to the local city or county Project Resettlement Office (PRO), which is the main organization responsible for the whole subproject. The city subproject resettlement office should make a record of any appeal and provide a resolution within 15 days.
- If the dispute still cannot be resolved, then the affected person can appeal to the PPMO, go through an administrative appeal according to the “Administrative Procedure Law of People’s Republic of China”, or go directly to the People’s Court. The Resettlement Office is responsible for keeping records of all appeals, and the resultant resolutions.

APs will be aware of their right to appeal through the participatory meetings and from the resettlement information booklet by following new provision of land administration law and new Grievance Regulation of PRC regulations, which became effective on 1 May 2005. The project will also publicize information through the mass media and collect the APs opinions and suggestions, which will then be investigated and resolved through all necessary administrative levels in a timely manner.

10. Monitoring and Evaluation

10.1 Internal Monitoring and Examination

Both the PPMO and the LPMOs for each subproject, as the project implementation agencies, will be responsible for the internal resettlement monitoring activities. The monitoring work will include reviewing the main implementation milestones, evaluating the resettlement impacts, and if necessary revising the sub-project Resettlement Plans. The PPMO and LPMOs will be responsible to ensure the effective performance of the resettlement institutions during resettlement implementation, including strengthening the coordination between different institutions. They will prepare quarterly progress reports on the land acquisition and buildings demolition activities; these will be consolidated by the PPMO and submitted to ADB quarterly so as to inform about any resettlement implementation issues, and promote suggestions for consideration and future action.

The internal monitoring will include:

1. Updates of implementation schedules and progress of the last quarter and works/actions planned in the next quarter.
2. The allocation of housing sites, house reconstruction, and relocation activities;
3. Assessment of implementation progress and the quality of the replacement facilities for the resettled people and their productive activities;
4. Investigation, coordination and the provision of suggestions to deal with any issues that arise (previously or new) for the resettlement institutions and the APs during the resettlement implementation process;
5. Oversight on the restoration of family income once relocation and resettlement has been completed;
6. Measures taken for vulnerable groups or individuals;
7. The allocation, disbursement, and use of resettlement compensation;
8. Assessment an support for participation and consultation during the implementation period;
9. Progress on training relocatee’s and promoting future options for their future livelihood; and
10. Implementation issues and proposed follow-up actions.
The PPMO will be responsible for preparing and submitting to ADB an annual resettlement summary report and a final comprehensive Resettlement Completion Report once all resettlement activities have been finished.

10.2 External Monitoring

A qualified external resettlement monitoring agency should be retained to undertake independent external resettlement monitoring and evaluation for the whole Project. The monitoring and evaluation agency must be acquainted with the resettlement activities, and able to provide both the evaluation and suggestions for improving the overall resettlement and rehabilitation process that secures the livelihood of the APs. The monitoring team is intended to be an independent communication channel for the APs, so as to ensure the resettlement planning and implementation fulfills the needs of the APs, and that the procedures adopted are also compliant with the national laws and provincial regulations, the RPs and ADB policy. The independent resettlement monitoring and evaluation agency shall conduct field investigations periodically and prepare resettlement project monitoring and evaluation reports every six months, to be submitted simultaneously to the PPMO and ADB for review.

The specific content of the external monitoring will include:

1. Monitoring and evaluation of the resettlement implementation schedule;
2. Monitoring and evaluation on the use of the resettlement funds;
3. Monitoring and evaluation of the rehabilitation of production facilities in or as related to the PAA and APs;
4. Monitoring and evaluation of the compensation payments to relocatees’ and the re-establishment of productive economic activities.
5. Assessment of AP income levels and living standards to ensure they have been adequately compensated and fully restored.

11. Resettlement Cost and Budget

11.1 Preparation Principles

1. Costs for a subproject resettlement program, including economic rehabilitation, demolition and resettlement, and demolition and relocation of special facilities, should be prepared according to the relevant national policies and design regulations, and included with the cost estimation for the construction works.
2. Compensation standards for land compensation, resettlement subsidy and young crops compensation will be confirmed according to relevant regulations in the Methods of Hunan Province for Implementing the Land Administration Law of the People’s Republic of China.
3. Compensation standards for structures will be based on an analysis of replacement prices for a typical house in the project affected area. The compensation standard for auxiliary facilities, scattered trees and demolition subsidy will be determined according to the design or compensation standard for a similar project.
4. Compensation for special facilities, based on the maintenance of their functionality according to the principles of "original scale, original standard and original function", will be determined in accordance with the detailed work that will have to be undertaken.
5. Based on detailed cost estimated of 8 core subprojects and preliminary estimate for 28 non-core subprojects, the total cost of land acquisition and resettlement for all 36 subprojects would amount to CNY 815 million, including CNY 198 million or 24.3% for 8 core subprojects and CNY 617 million or 75.7% for 28 non-core subprojects. These land acquisition and resettlement cost will be included as part of total project cost.

11.2 Compensation Funds

Each LPMO, assisted by the relevant Design Institute, should carefully compile a resettlement cost estimate, that will be included in the resettlement plan prepared before each subproject can be evaluated, as per the requirements outline in this RF.

11.3 Funds Arrangement

Compensation for land acquisition, demolition of buildings and other costs for each subproject should be paid to the affected people and units by the city or county LPMOs through their resettlement offices. According to the compensation policies and standards defined in the resettlement plan, the payment and usage of compensation funds will be carried out under the supervision of the internal monitoring agencies, with regularly review by the external monitoring agency.
12. Resettlement Implementation

The resettlement plan for each subproject should include a detailed implementation schedule for the resettlement activity in the subproject area. The schedule should be closely linked to the construction schedule, and the specific activities to be undertaken. The payment of compensation for land acquisition and demolition; the provision of other livelihood rehabilitation measures (in cash or in kind); and the allocation of subsidies or allowances should be paid in installments according to the planned resettlement implementation activities. A preliminary implementation schedule for all 36 subprojects is included in Annex 4, which subjects to the progress of loan processing and domestic procedures.
Annex 1: Distribution of 36 Subprojects in Hunan Province
#### Annex 2: Scope of Land Acquisition and Resettlement for 36 Subprojects

<table>
<thead>
<tr>
<th>No.</th>
<th>Project Cities</th>
<th>Relocated Households</th>
<th>Relocated Population</th>
<th>Land (mu)</th>
<th>Farmland (mu)</th>
<th>Temporary Land (mu)</th>
<th>Farmland (mu)</th>
<th>Houses (m²)</th>
<th>Non-housing Spaces (m²)</th>
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### Table: Resettlement Policy Framework for Hunan Flood Management Project

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<th>No.</th>
<th>Project Cities</th>
<th>Relocated Household</th>
<th>Relocated Population</th>
<th>Land (mu)</th>
<th>Farmland (mu)</th>
<th>Temporary Land (mu)</th>
<th>Farmland (mu)</th>
<th>Houses (m²)</th>
<th>Non-housing Spaces (m²)</th>
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<td>12.3%</td>
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<td>Percent of Total</td>
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<td>71.0%</td>
<td>87.7%</td>
<td>78.2%</td>
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Source: Hunan Hydropower Survey and Design Institute.
## Annex 3: Entitlement Matrix for Hunan Provincial Flood Management Project

<table>
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<tr>
<th>Affected type</th>
<th>Affected Persons</th>
<th>Policies and Entitlements</th>
<th>Responsible Agencies</th>
</tr>
</thead>
</table>
| Permanent land occupation | Users of state-owned urban land | 1. For affected state owned urban land users, such as enterprises, institutions, and residents, cash compensation will be paid for the loss of the land areas.  
2. The compensation rate will be based on principle of replacement value and will allow the relocated land users to obtain replacement land in the similar locations for rehabilitation  
3. For the affected other urban land areas, such as unused land, river channel, and so on, administrative transfer of the land will be carried out. | LPMO, and Local Land Resources Bureau |
| Permanent land acquisition | Owners of Collectively-owned land, paddy, dryland, fruit garden, fish pond, etc. | 1. Compensation stand for various rural land should be in line with the PRC Land Administration Law (1998) and the Hunan Provincial Implementation Decree (2000), which stipulates the rates for land compensation, resettlement subsidies, young crop compensation, and other attachments. Specifically, the compensation for farmland will be based on the average annual output value (AAOV) over the past three years and multiples set forth according to the per capita land holding among affected villages. In average, the combined land compensation and resettlement subsidy will be at least 10 times of AAOV in the project areas in accordance with Land Administration Law.  
2. The compensation rates for green crop and ground attachments based on replacement value will be paid directly to the affected people.  
3. For land loss farmers, they will be provided with replacement farmland though land readjustment and various economic rehabilitation measures, such as greenhouse vegetable and animal husbandry activities. The funding of rehabilitation measures will come from land compensation fee and resettlement subsidy to be paid directly to affected village or village groups.  
4. For those village groups with no possibility of land readjustment or development, the resettlement subsidy will be paid directly to the affected people, and the land compensation fee shall be managed and used by the village groups. | LPMO, and Local Land Resources Bureau |
| Temporary land acquisition | Owners of rural land | 1. The compensation fee for temporary land occupation will include young crops cost, loss of output during occupation, and land reclamation cost.  
2. The compensation fee for loss of output will be determined according to the annual output value and length of occupation time. The average time limit of the temporary land acquisition is set at two years.  
3. The compensation for land reclamation will be based on actual cost.  
4. While the compensation for green crop and loss of output during land occupation will be paid directly to affected people, the compensation for land reclamation could be paid either to the contractor for restoring land condition after occupation or to the affected people for restoration. | LPMO, Local Land Resources Bureau, and Contractor |
| House Demolition | Owners of Rural Houses | 1. For rural houses to be demolished, compensation will be set at the replacement value, based on analysis of material costs for a replacement structure in each subproject area. The compensation for various attachments, infrastructure facilities, and moving allowance will be set up in accordance with the compensation approved for similar projects in the project counties.  
2. The relocated rural households will be resettled nearby within their current villages.  
3. For each relocated household, replacement housing plot will be provided by village funded by the project, which will be connected with road, water supply and electricity. | LPMO and Local Land Resources Bureau, |
| House Demolition | Owners of urban houses | 1. For demolished urban houses, compensation will be set at the replacement value, based on analysis of material costs for a replacement structure in each subproject area. The compensation for various attachments, infrastructure facilities, and moving allowance will be set up in accordance with the compensation approved for similar projects in the project counties.  
2. The relocated urban households will be provided two rehabilitation options. One is to provide replacement housing with better quality and similar sizes. The other option is to provide cash compensation at replacement value. The objective of these two options is to ensure that living condition of relocated people could be restored or at least improved. | LPMO and Urban Local Land Resources Bureau, |
| House Demolition | Owners or users of non-residential structures | 1. For owners of non-residential structures, such as enterprises, institutions, and shops, compensation will be set at the replacement value, based on an analysis of material costs in the subproject area.  
2. For those enterprises that remain in their current locations with relatively minor impacts, they will make their own arrangements to build any replacement buildings based on cash compensation received. For those enterprises that need to be relocated, the project office and the local government should assist them to identify an alternative site in accordance with the urban land use plan.  
3. In terms of compensation for equipment relocation, moving allowance, lost wages and income during the temporary interruption, they will be determined in accordance with actual costs.  
4. Affected workers will be assured of continued employment, either by the enterprises or by local government and such costs will be included in the compensation paid by the Project.  
5. For small shop owners that are affected by the project, cash compensation will be provided based on replacement value of damaged assets, plus moving and transition allowances, and lost wages during transition.  
6. The project office and local government should provide assistance to them during the process of relocation and rehabilitation. | LPMO and Local Land Resources Bureau, |
<table>
<thead>
<tr>
<th>Affected type</th>
<th>Affected Persons</th>
<th>Policies and Entitlements</th>
<th>Responsible Agencies</th>
</tr>
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<td>Special facilities</td>
<td>Owner or in charge departments</td>
<td>All the special facilities affected by the project shall be rehabilitated and rebuilt according to the actual conditions affected by the project, original standard, scale and function. The PMO shall plan the investment according to the rehabilitation plan, and provide compensation funds for the relevant public departments in charge of special facility to organize the implementation. The compensation payable where special facilities are affected will be determined in accordance with the relevant regulations and estimates quota, with reference to the unit costs for similar subproject areas.</td>
<td>LPMO and relevant departments</td>
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Annex 4: Implementation Schedule for All 36 Subprojects (subject to the progress of loan processing and domestic procedures)

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Notes:
- **J S O N D** = January, February, March, April, May, June, July, August, September, October, November, December
- **M** = Municipal City
- **C** = County City
- Implementation Schedule for 36 City Urban Flood Control Projects
- Projects to be commenced in August 2005 (Year 0) with consideration for retroactive financing
- Projects to be provisionally commenced in August 2006 (Year 1)
- Projects to be provisionally commenced in August 2007 (Year 2)
- Flood Risk Period - construction work may continue, but Contractor will have to manage the risk.