

Resettlement Planning Document

Resettlement Plan
Document Stage: Final
Project Number: 40643
October 2008

PRC: Xinjiang Urban Transport and Environmental Improvement Project

Prepared by the Project Management Office of ADB Loan Project of Hami City and the Hami Construction Bureau.

The resettlement plan 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.

ADB Financed Project

Resettlement Plan

Hami City Roads and Environmental Sanitation Component

Of

Xinjiang Urban Transport and Environmental Improvement Project

Xinjiang Uygur Autonomous Region Government of PRC
Project Management Office of ADB Loan Project of Hami City
Hami Construction Bureau

28 October 2008

Endorsement Letter of Resettlement Plan

Hami Construction Bureau has applied for a loan from the ADB to finance the Hami Urban Transport and Environmental Sanitation Project. Therefore, the project must be implemented in compliance with the guidelines and policies of the Asian Development Bank for Social Safeguards. This Resettlement Plan is in line with the key requirements of the Asian Development Bank and will constitute the basis for land acquisition, house demolition and resettlement of the project. The Plan also complies with the laws of the People's Republic of China, Xinjiang province and Hami municipal regulations, as well as with some additional measures and the arrangements for implementation and monitoring for the purpose of achieving better resettlement results.

Project Management Office of ADB Loan Project of Hami City hereby approves the contents of this Resettlement Plan and guarantees the implementation of land acquisition, house demolition, resettlement, compensation and fund budget will comply with this plan. This Resettlement Plan was compiled according to the project Feasibility Study Report and data of the preparatory socioeconomic investigation. If the final contents of project implementation are different from the Feasibility Study Report, this RP will be amended and re-submitted to the ADB for approval before its implementation.

Approved on _____, _____

Project Management Office leader of ADB Loan Project of Hami City: _____

LIST OF ACRONYMS AND MEASURES	
ADB	Asian Development Bank
AP	Affected Person
CNY	Chinese CNY
CRC	Community Residents Committee
DI	Design Institute
DMS	Detailed Measurement Survey
EA	Executing Agency
EIA	Environment Impact Assessment
FB	Finance Bureau
FSR	Feasibility Study Report
Homestead	Existing land in the village for building houses
Ha	Hectare
HMCB	Hami Construction Bureau
HMMG	Hami Municipal Government
IA	Implementing Agency
LAB	Land Administration Bureau
MSL	Minimal Security Line
M&E	Monitoring and Evaluation
MRM	Managerial Review Meeting
NGO	Non Governmental Organizations
PMO	Project Management Office
PPTA	Project Preparatory Technical Assistance
HMPMO	Project Management Office of ADB Loan Project of Hami City
PRC	Peoples Republic of China
RIB	Resettlement Information Booklet
RP	Resettlement Plan
ToR	Terms of Reference
US\$	United States Dollar
WF	Women's Federation
km ²	square kilometer
km	Kilometer
m ³ /d	Cubic Meters per day
%	Percentage
≤	Less than or equal to
≥	Greater than or equal to
#	Number
mu	Chinese area measure for land, 1mu = 1/15 ha (1 ha = 15 mu)
CNY	Chinese currency CNY, 1 CNY = 1/6.99 \$US (\$US1=CNY 7.9)

Contents

LIST OF FIGURES	IX
EXECUTIVE SUMMARY	X
I INTRODUCTION AND PROJECT DESCRIPTION	1
1.1 PROJECT BACKGROUND	1
1.2 BRIEF INTRODUCTION	3
1.2.1 Project Sub-Components	3
1.2.2 Scope of Land Acquisition and House Demolition, Brief Summary and Impacts	5
1.2.3 Social and economic Benefits of the Project	6
1.2.4 Measures to Avoid or Minimize Land Acquisition and House Demolition	8
II PROJECT IMPACT	10
2.1 PROJECT IMPACT IDENTIFICATION	10
2.2 METHODS FOR PROJECT IMPACTS SURVEY	10
2.3 LAND OCCUPATION IMPACT	12
2.3.1 Permanent LA of Collective (Non-Residential) Land in the country	12
2.3.2 Permanent Acquisition of State-owned land	15
2.3.3 Temporary Land Occupation	16
2.4 DEMOLITION OF HOUSES/STRUCTURES	16
2.4.1 Demolition of Residential Houses	16
2.4.2 Demolition of Enterprises and public institutions	18
2.5 DIRECTLY AFFECTED POPULATION	21
2.6 ETHNIC MINORITIES	21
2.7 ANALYSIS OF VULNERABLE GROUPS	24
2.8 AFFECTED GROUND ATTACHMENTS, PUBLIC FACILITIES AND INFRASTRUCTURE	30
III SOCIAL ECONOMIC FEATURES AND IMPACT ASSESSMENT	31
3.1 SOCIAL AND ECONOMIC STATUS	31
3.2 CURRENT SOCIAL AND ECONOMIC STATUS OF AFFECTED SUB-DISTRICTS	32

3.3 CURRENT SOCIAL AND ECONOMIC STATUS OF AFFECTED VILLAGES AND COMMUNITIES	33
3.4 THE SOCIOECONOMIC SURVEY	35
3.5 SOCIAL AND ECONOMIC STATUS OF AFFECTED PEOPLE	36
3.5.1 Demographic Features of APs	36
3.5.2 Housing Conditions	39
3.5.3 Land Resource and Land Tenure	39
3.6 GENDER ANALYSIS	41
IV PARTICIPATION, CONSULTATION AND GRIEVANCE REDRESS	45
4.1 IDENTIFICATION OF STAKEHOLDERS	45
4.2 CONSULTATION DURING PROJECT PREPARATION	45
4.2.1 Public Consultation	46
4.2.2 Public Participation and Consultation Plan	48
4.3 APPEALS AND GRIEVANCE REDRESS	48
V LEGAL FRAMEWORK AND RESETTLEMENT POLICIES	51
5.1 APPLICABLE LAWS, REGULATIONS & POLICIES FOR RESETTLEMENT	51
5.2 THE ADB INVOLUNTARY RESETTLEMENT POLICIES	52
5.3 LAWS AND REGULATIONS OF PRC	55
5.4 GAPS BETWEEN ADB AND CHINA POLICIES	59
5.5 RESETTLEMENT PRINCIPLES AND ELIGIBILITY FOR COMPENSATION	60
5.5.1 Compensation Principles	60
5.5.2 Eligibility for Compensation and Benefits	61
5.6 COMPENSATION STANDARDS	61
5.6.1 Compensation Standards for Acquisition of Collective Land	61
5.6.2 Compensation Standards for Acquisition of State-Owned Land	63
5.6.3 Compensation Standards for House Demolition	64
5.6.4 Compensation Standards for Public Facilities, Ground Attachment	68
5.6.5 Other Costs and Taxes	69
5.6.6 Vulnerable and Ethnic Minority Groups	70

5.7	ENTITLEMENT MATRIX	70
VI	RESETTLEMENT MEASURES	74
6.1	RESETTLEMENT TARGETS	74
6.2	PRINCIPLES FOR RESETTLEMENT AND REHABILITATION	74
6.3	SUMMARY OF REHABILITATION PLAN FOR AFFECTED VILLAGES	75
6.4	REHABILITATION PLAN FOR AFFECTED VILLAGES	76
6.5	RESIDENTIAL HOUSE RECONSTRUCTION PLAN	81
6.5.1	Resettlement Choices	81
6.5.2	Introduction on Relocation Site	83
6.5.3	Resettlement house price and Vulnerable Group Assistance	86
6.5.4	Application Procedure	87
6.6	RESTORATION PLAN FOR ENTERPRISES AND PUBLIC INSTITUTIONS	87
6.8	TRAINING AND EMPLOYMENT FOR APS	90
6.9	PROTECTION OF WOMEN'S' RIGHTS AND INTERESTS	90
6.10	DEVELOPMENT OF ETHNIC MINORITIES	91
6.11	REHABILITATION OF INFRASTRUCTURE AND SPECIAL FACILITIES	92
VII	BUDGET ON COMPENSATION AND RESETTLEMENT	93
7.1	RESETTLEMENT COSTS	93
7.2	ANNUAL INVESTMENT PLAN	99
7.3	MANAGEMENT OF RESETTLEMENT FUNDS & DISBURSEMENT	99
7.3.1	Cash Flow	99
7.3.2	Management of Resettlement Funds & Disbursement	100
VIII	INSTITUTIONAL ORGANIZATION AND RESPONSIBILITIES	102
8.1	RESPONSIBLE INSTITUTIONS FOR RESETTLEMENT IMPLEMENTATION	102
8.2	ORGANIZATION CHART	103
8.3	INSTITUTIONAL CAPACITY FOR RESETTLEMENT IMPLEMENTATION	104
8.4	KEY TASKS OF RESETTLEMENT INSTITUTIONS	105
8.4.1	Road construction Leading Group of ADB Loan Project of Hami City	105

8.4.2 Project Management Office of ADB Loan Project of Hami City	105
8.4.3 Hami Construction Bureau	106
8.4.4 Affected sub-district offices	106
8.4.5 Villager committees/ affected communities	107
8.4.6 Design institute	107
8.5 MEASURES FOR STRENGTHENING THE CAPACITY OF RESETTLEMENT INSTITUTIONS	107
8.5.1 Training Plan for Resettlement Management Staff	107
8.5.2 Measures for Improving Resettlement Institutions	108
IX RESETTLEMENT IMPLEMENTATION PLAN	110
X MONITORING AND EVALUATION	117
10.1 INTERNAL MONITORING	117
10.1.1 Objective	117
10.1.2 Institution and Staffing	117
10.1.3 Content of Internal Monitoring	117
10.1.4 Internal Monitoring Reporting	118
10.2 EXTERNAL MONITORING	119
10.2.1 Content and Methods of External Monitoring	119
10.2.2 External Monitoring Reporting	120
10.3 POST ASSESSMENT FOR RESETTLEMENT	121
APPENDIX	122
APPENDIX 1: RELEVANT REGULATIONS	122
APPENDIX2 RESETTLEMENT INFORMATION BOOKLET (RIB)	143
APPENDIX 4 SUMMARY OF PUBLIC PARTICIPATION CONFERENCE	151
APPENDIX 5 IMPACTS OF HOUSE DEMOLITION	153

List of Tables

Table I-1 Urban Road Construction Plan	4
Table I-2 Environmental Sanitation Equipment.....	4
Table I-3 Table of slab culvert bridge	4
Table I-4 Summary of Project Impacts.....	6
Table I-5 Minimizing Resettlement Impacts	9
Table II-1 Permanent Collective Land Acquisition	12
Table II-2 Analysis on Impacts of Land Acquisition in Different Villages.....	13
Table II-3 Analysis of Affected Households by Land Acquisition	14
Table II-4 Extent of Land Loss by Households	14
Table II-5 Resettlement Options of Land Loss Households.....	15
Table II-6 Permanent State-Owned Land Acquisition	15
Table II-7 Statistical Results of Rural Residential Houses Demolition	16
Table II-8 Statistical Results of Urban Residential Houses Demolition.....	17
Table II-9 Residential House Demolition Loss Extent Analysis.....	17
Table II-10 Project Impact on Enterprises.....	18
Table II-11 Project Impact on Enterprises and Public Institutions	20
Table II-12 Directly Affected Population – All Categories	21
Table II-13 Extent of Land Loss by Ethnic Minority Households.....	21
Table II-14 Extent of House Loss by Ethnic Minority Households	22
Table II-15 Ethnic Minority APs.....	23
Table II-16 Conditions of Affected Vulnerable Groups	26
Table II-17 Affected Ground Attachments, Public Facilities and Infrastructure	30
Table III-1 General Information of Affected Towns/Sub-district	33
Table III-2 Social and Economic Status of affected village	34
Table III-3 Surveyed Villages and Number of Households	36
Table III-4 Demographic Features of Surveyed Households	36
Table III-5 Household Conditions of Surveyed Households.....	39
Table III-6 Land Statistics of Surveyed Households.....	39
Table III-7 Financial Status Per Capita of Surveyed Households in 2007	40
Table III-8 Income Sources of Surveyed Households in 2007	40
Table III-9 Expenditure Patterns of Surveyed Households in 2007	41
Table III-10 Women's Share of Household Income in 2007.....	43
Table III-11 Point of View about Resettlement.....	44
Table IV-1 Summary Consultation Records in Project Preparation.....	46

Table IV-2 Public Participation Plan.....	48
Table V-1 Relevant Policies Relating to Land Acquisition and House Demolition and Their Application.....	56
Table V-2 Gaps between ADB and PRC Policies on Involuntary Resettlement.....	59
Table V-3 Resettlement Principles.....	60
Table V-4 Compensation Standards for Land Acquisition.....	62
Table V-5 Hami Benchmark Land-Price Standard	64
Table V-6 Benchmark Land-Price of Roads in the Project.....	64
Table V-7 Urban House Compensation Standard	65
Table V-8 Resettled in asset for asset	66
Table V-9 standard for asset for asset in the original place	66
Table V-10 Standard for asset for asset in Huikangyuan Community	67
Table V-11 Rural House Compensation Standard	67
Table V-12 Compensation standards for enterprises.....	68
Table V-13 Compensation Standard for Attachments and Special Facilities.....	68
Table V-14 Other Costs	69
Table V-15 Entitlement Matrix.....	71
Table VI-1 Income Loss and Compensation of Dayingmen Village	78
Table VI-2 Monthly Subsistence Allowance per Household Affected by Land Acquisition of Dayingmen Village	79
Table VI-3 Compensation Option of Rural Residential Houses Demolition	82
Table VI-4 Compensation Option of Urban Residential Houses Demolition	82
Table VI-5 Enterprise Resettlement Will	89
Table VII-1 Resettlement Cost Estimates	94
Table VII-2 Annual Resettlement Investment Plan	99
Table VIII-1 Schedule for Resettlement Implementation Training	108
Table IX-1 Resettlement Implementation Schedule.....	113

List of Figures

Figure I-1 present Renmin Road	3
Figure I-2Planning Road Situation	5
Figure III-1 Education Difference between Male and Female Groups	41
Figure III-2 Vocation Differences between Male and Female Groups	42
Figure IV-1 Diagram of Grievance Procedure for APS	50
Figure VI-1 Demolished urban residential house demolished rural residential house	85
Figure VI-2 House of different type in Huikangyuan Community (topleft: shop front of the building; topright:building; bottomleft: self-built house; bottomright: independent two-layer building)	86
Figure VI-3 The instruction of self-built house in Huikangyuan Community (topleft: heating radiator which connected to the central heating system; topright:courtyard dime	86
Figure VII-1 Capital Flow Figure	100
Figure VIII-1 Hami City Resettlement Organization Chart	104
Figure IX-1 Resettlement Implementation Schedule	116

EXECUTIVE SUMMARY

1. Outline of the project and its impact

In order to reduce traffic congestion and improve road safety, Hami Municipal Government (CMG) the Executing Agency (EA) intends to utilize part of the Asia Development Bank (ADB) loan to launch urban roads and municipal services project in the Hami city, which is one of component in Xinjiang Urban Transport and Environmental Improvement projects.

This Project is to be implemented by Hami Urban Investment and Development Co., Ltd. (CUIDC) as the implementing agency (IA). This component involves the construction of 9.02km of urban roads together with ancillary works including environment and sanitation facilities.

The permanent requisition of land for this component will directly affect 1 sub-district, 3 Community Residential Committees (CRC) and 3 villages; Land acquisition and house demolition will affect a total of 99 households with 322 people and 4 enterprises with 128 workers, among the total affected households there are 48 households and 206 minority people. 20444.64 m² residential houses and 2580.61m² non-residential houses will be demolished. The project will permanently requisition 24.07 mu of stated land and 72.07 collective land.

The impacts from land acquisition were minimized by close consultation with local officials and the CRCs at the feasibility study report (FSR) stage, and alternative schemes involving different road routings have been compared and the optimal scheme selected. The present Resettlement Plan (RP) is prepared in accordance with all necessary PRC state legislation Provincial and Municipal related policies related to land and also with ADB's Policy on Involuntary Resettlement. The RP has been based on the FSR and will be updated based on the detailed design and submitted to ADB for approval prior to award of civil works contract..

2. Policy framework and entitlement

Based on PRC land legislation and policy, the resettlement principles established for the component are: (i) compensation and entitlements provided to the affected persons (APs) are adequate to at least maintain their “without project” standard of living, and

with prospect of improvement; (ii) All APs, titled or non-titled, will be provided with resettlement assistance and granted fair compensation; (iii) where post- requisition cultivated land per capita is not sufficient to maintain livelihood, compensation in cash or kind for replacement land for other income-generating activities will be provided for the APs; (iv) all the APs will be adequately informed on eligibility, compensation rates and standards, livelihood and income restoration plans, project timing, and will be involved in the RP implementation process; (v) no land requisition will take place unless replacement land or sufficient compensation for resettlement is given to the APs; (vi) Hami Municipal Government (HMG), the executing agency (EA) and an independent / third party will monitor compensation and resettlement operations; (vii) vulnerable groups should receive special assistance to ensure they are better off, so that the APs listed in the RP will have the opportunity to benefit from the project; (viii) RP will be combined with the overall City / County / District planning; and (ix) the resettlement budget will adequately cover the full aspects of all compensation required.

3. Responsible Organizations

The IA will be responsible for the project implementation and land resettlement and house demolition and co-ordination. The land acquisition and demolition office is composed of officials from land administration departments and urban construction departments. All affected residential committees and villages provide one staff member respectively to the land acquisition and demolition office, responsible for the work concerned with demolition and resettlement and income rehabilitation activities.

4. Public Participation

Public participation has been the key to this RP, from December 2007 to May 2008, Hami PMO and DI acquired information about project affection through total investigation to people, houses, land and other facilities in affected areas. From February to March of 2008 with the help of technology assistance experts, Hami PMO and DI did complementary survey to affected families and rural economy organizations and a number of consultation meetings have been held in the project area. Participants from the CMG, PMO, urban Community Resident Committees (CRCs), land administrative bureau (LAB), civil department, women's federation, urban spatial planning department, APs and Consultants. Project investigation has been undertaken in affected sub-district, CRCs and villages. These meetings and investigations have generated a lot of interest in the resettlement policies and compensation entitlements.

More consulting meetings will be required in the future. Affected people have participated in the preparation of the resettlement plan and their concerns and comments have been included in the resettlement plan already.

5. Grievance

Affected people can propose any complaint related to land acquisition, resettlement, income rehabilitation and compensation. The grievance procedure is described clearly in the resettlement plan (RP) and explained to APs in the meetings held by the IA and the district land acquisition and demolition office before any action of land acquisition and demolition takes place.

6. Costs

According to the project FSR and subsequent investigations, the resettlement cost is estimated CNY 23.0978 million including a contingency equivalent to 10%, which may be adjusted during Project implementation. The costs for resettlement are about 18.3% of the total base costs for the Project. The Project IA will ensure that sufficient funds are made available to cover all necessary resettlement issues.

7. Schedule

The land requisition and resettlement is scheduled to begin in Jan, 2009 and to be completed in April, 2009, hence lasting for 4 months. Civil works will not begin before compensation for the APs are paid in full, which is in accordance with the recently promulgated State Council Decree #31.

8. Monitoring and Report

Internal and external monitoring will be conducted on the implementation of the resettlement program. IA will be responsible for internal monitoring and prepare regular reports to the ADB covering the progress of the resettlement, discussing key issues about compliance with the RP and compensation policies. The PMO will engage an independent agency to conduct external monitoring and assessment and prepare an assessment on resettlement progress, compensation disbursement, and other measures to ensure that the APs maintain standard of living and do not suffer because of the Project.

I. INTRODUCTION AND PROJECT DESCRIPTION

1.1 Project Background

1. Hami City Urban Transport and Environmental Sanitation Project is a component of the Asian Development Bank (ADB) financed Xinjiang City Urban Transport and Environmental Improvement Project.

2. In Nov, 2007, the development and reform committee of Xinjiang Uygur Autonomous Region and some experts reviewed the suggestions on Xinjiang Urban Transport and Environmental Improvement Asian Development Bank Financed Project, including Hami subject and issued the approval in Dec, 17, 2007, (XDRF[2007] No.1718).

3. The start of Project provides good opportunities for the comprehensive development of Xinjiang Infrastructure. It will be significant for the infrastructure development, environment improvement and social economy promotion.

4. Located in the east of Xinjiang Uygur Autonomous Region, Hami City is a vital communication line of Xinjiang to line different parts of mainland China, which is also crowned as “a key position in the west and a traffic junction between east and west”. Lanxin railroad, National Road 312, and Asian—European land bridge all go through Hami City. Easy transportation ensures the social and economic development of Hami City. The overall plan for the economic development of Hami City is as follows: regard resource industry as its major industry and marketing agriculture and tourism as minor; regard city construction as framework and establish a modern industrial system featured in resources transfer; form nonferrous metal industry, metallurgical industry, and farm and sideline product processing industry; establish four industrial producing bases and four planning regions for town industry, to be more specific, nonferrous metal and metallurgical industry, coal industry, chemical industry and food processing industry. Agriculture should aim at marketing and distinctive features, so as to establish bases for melons and fruits of high quality such as Hami melon, grape, and Hami jujube. Tourism should take the full advantage of special features, in order to establish

a fine tourist region with Hami feature of “new, peculiar, unique and perilous”. Meanwhile, structure of production should be rationalized and service quality improved. As to city construction, road network should be constantly perfected, city should be greened to beautify its image and all kinds of functions should be added to establish an emerging new city. The state policy of exploring the west brings golden opportunities of development to Hami City, and Hami City is making great efforts to foster good financing environment, and make the most of its advantages to promote the sustainable, sound and cohesive development of the region.

5. With the policy of further developing western regions, the state government's preference for Xinjiang area as well as the rapid development of economic globalization, Xinjiang is faced with unprecedented historical moments. It is of great significance that the ADB financed Xinjiang City Urban Transport and Environmental Improvement Project will provide good opportunities for infrastructure construction, environmental improvement and social and economic development of Xinjiang City. Hami City is determined to seize this golden chance to accelerate its infrastructure construction, explore further development, beautify the city environment and create a bright future.

6. Hami City Urban Transport and Environmental Improvement Project is beneficial to:

- Promoting the integrative development of Hami economy;
- Driving the development of Yiwu, Balikun counties and so on;
- Implementing the important strategy of “Stabilize Xinjiang and Flourish Xinjiang, Enrich People and Reinforce Frontier” and “the Eleventh Five Year Development Plan” of Hami City;
- Accelerating the economic development of Hami City;
- Improving the urban living environment and living standard, ensuring citizen's transportation safety.
- Strengthening the economic cooperation between China and other Asian countries, hence stimulating and promoting the economic development of Xinjiang.
- Perfecting the road network of Hami City, and promoting the economic development of Hami City and improving people's living standard.

1.2 Brief Introduction

1.2.1 Project Sub-Components

7. Hami Urban Roads and Environment Sanitation Project Component includes: (1) Roads: Construction of 3 roads, 3 main roads with a total road length of 9.02km; each 1-4.0m slab culvert bridge for Bayi Southern Road and Northern Road and 2-4.0m slab culvert bridge for Renmin Road. (2) Environment sanitation and appurtenant works.

(1)Roads

Road construction consists of main roads and culvert bridges.



Figure I-1 present Renmin Road

Table I-1 Urban Road Construction Plan

Name of Road	Beginning of Road	End of Road	Road grade	Length (m)	Redline width (m)	Culvert	Lamp
Bayi Southern Road	Huancheng Road	Bayi Northern Road	main road	3518.64	54.0	one 1-4.0m slab culvert bridge	201
Bayi Northern Road	Bayi Southern Road	National Road 312	main road	3596.53	60.0	one 1-4.0m slab culvert bridge	206
Renmin Road	Huancheng Road	Zhongshan Road	main road	1516.37	40.0	one 2-4.0m slab culvert bridge	98
				390.21	13.0		
Total				9021.75		3	505

(2) Environment sanitation

8. Environment sanitation embodies the overall image of a city, reflecting the popularity and reputation showed by the city's history and reality and multifunction. Good environment sanitation indicates that human beings and nature are in harmony with each other, reflects the comprehensive strength and civilization of a city, and serves as a criterion to judge a city's managerial level; its basic feature is its "public welfare"; Environment sanitation in the present project includes: trash cans that put along the roadside and purchase of road cleaning cars. As is shown in Table I-2.

Table I-2 Environmental Sanitation Equipment

Name of road	Trash can
Bayi Southern Road	70
Bayi Northern Road	72
Renmin Road	40
Total	182

Table I-3 Table of slab culvert bridge

Name of road	Plan for slab culvert bridge	Code of post
Bayi Southern Road	one 1-4.0m slab culvert bridge	K2+899.60
Bayi Northern Road	one 1-4.0m slab culvert bridge	K3+176.22
Renmin Road	one 2-4.0m slab culvert bridge	K1+180

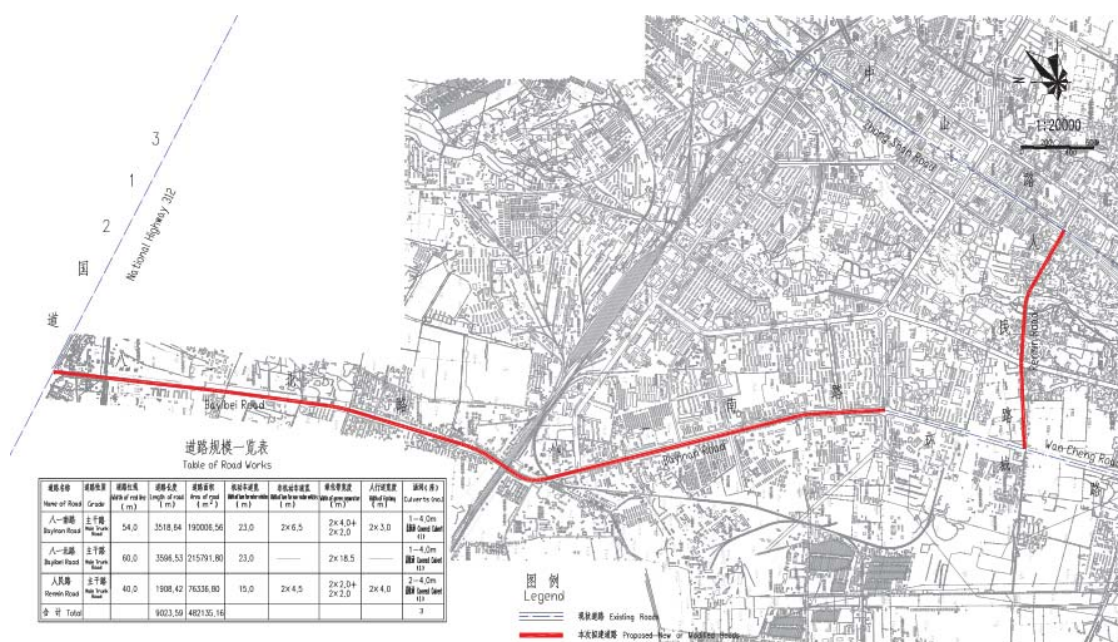


Figure I-2 Planning Road Situation

1.2.2 Scope of Land Acquisition and House Demolition, Brief Summary and Impacts

9. The land acquisition impacts of this project are largely caused by the main roads project. All the places that are affected by land acquisition and project construction to the extent that the production and livelihood of the local people are affected are included as affected areas of this project.

10. During this phase, land acquisition impacts are identified based on the proposed scheme in the feasibility study plan.

11. The land acquisition impacts of this project will affect 3 CRCs and 3 villages of Hami City, respectively these are Binhe Road Community, South zhongshan road Community, North zhongshan road Community, Xicaiyuan Village, Beicaiyuan Village, Dayingmen Village. Land acquisition and house demolition will affect 450 people, 96.14mu of land, including 24.07 mu of state-owned land (18.7mu stated-owned residential land and 5.37mu industrial land); 72.07mu of collective land will be occupied permanently by the project, including 31.82mu cultivated area, 0.57mu vegetable plots, 10.95mu orchard land, 3mu forest land and 25.73mu homestead. 20444.64 m² houses will be torn down, 62.4 % (12757.04 m²) of which are in the country. 4 enterprises and public institutions occupying 2580.61 m² will be demolished, affecting 128 people.

12. Summary of Project Impacts: see, Table I-4, details see chapter II.

Table I-4 Summary of Project Impacts

City County		Subtotal
Affected villages or communities		1 sub-district , 3 CRCs and 4 villages
Permanent LA –collective land (mu)	Total	72.07
	Including: cultivated area	31.82
	orchard land	10.95
	forest land	3
	vegetable plots	0.57
	residential area	25.73
Permanent LA – state-owned land (mu)	Total	24.07
	Including: residential area	18.7
	industry	5.37
Temporary land occupation (mu)	Total	0
	Including: cultivated area	0
Subtotal of land occupied(mu)		96.14
House demolition (m ²)	Rural residential house	12757.04
	Urban residential house	7687.6
	Non-residential house	2580.61
Subtotal of affected area (m ²)		23025.25
Directly affected population	Households only affected by Land Acquisition (LA)	1
	Persons only affected by LA	3
	Households affected by LA and house Demolition	29
	Persons affected by LA and HD	98
	Households only affected by HD	69
	Persons only affected by HD	221
Subtotal of directly affected households		99
Subtotal of directly affected persons		322
enterprises and public institutions		4
Persons affected by enterprises demolition		128
Total of directly affected persons		450

1.2.3 Social and economic Benefits of the Project

13. The project will construct various public infrastructures, including city roads and

associated facilities¹, environmental sanitation facilities² and vegetation³. The project is mainly to improve the relatively run-down living mode and environment for people of the city, and strengthen access to social economy and culture. The improvement of urban infrastructures and environment will increase the value of land along the roads and promote the development of land and trade.

14. The crossroads area of Renmin Road in Hami City used to be the most prosperous downtown area. However, now it is an old section of the city with narrow roads and poor living conditions, which has caused great inconvenience to local residents and serious pollution to the environment. The poor road conditions also have limited the commodity market nearby and businesses have been rather unsatisfactory. The present project will stimulate the business and increase the house value.

15. The construction of city infrastructure will bring following benefits:

1. The construction of city infrastructure will stimulate local economic development and improve people's living standards. It is also hoped that people's appreciation of the environment will be enhanced, encouraging them to actively participate in the city's environmental protection activities.

2. The construction of public green space, environmental sanitation facilities and road vegetation will greatly improve the city's green coverage rate, reduce the rate of bare land, and effectively reduce the impacts of noise, dust, solid waste and sewage on road, and improve people's living environment so that the city's environment will be continuously improved. The project will bring obvious improvement to urban environment.

3. According to the design, the project is anticipated to create 105 direct jobs and 90 indirect jobs, including 15 managerial technicians, 35 skilled workers and 55

¹ Associated facilities are those utilities constructed beneath or beside the road including water, waste water, and district heating and in some cases power lines.

² Environmental sanitation facilities mean public toilets, garbage storage and collection facilities, waste treatment facilities.

³ Vegetation means roadside planting, landscaping and general re-greening.

unskilled workers; indirect jobs include 20 managerial technicians, 30 skilled workers and 40 unskilled workers. In the implementation of project, PMO will provide non-technological employment to affected women (at least 45% of technological workers). Affected female labors will be considered first in skill training to protect their economic status. Training will help 600 APs and female APs can not fewer than 300 (accounting for 50%).

1.2.4 Measures to Avoid or Minimize Land Acquisition and House Demolition

16. The project design has given consideration to minimizing land acquisition and house demolition by observing the following major principles:

- Avoid or minimize the occupation of residential areas(rural and urban), existing or planned;
- Avoid or minimize the occupation of high-quality cultivated area;
- Make use of national or local roads for the proposed construction sites;
- Avoid or minimize the occupation of environmentally or culturally sensitive places; and
- Any relocation must conform to the local development plan.

17. When selecting lines for the project, people in charge should avoid occupying the current and original buildings and try their best not to replace orchard lands of high quality. Meanwhile, according to the project implementation, APs shall be informed in advance before the land acquisition so as to decrease their losses.

18. There are options available:

Option 1: build Renmin Road with a length of 1908m and a width of 40m, which involves 9 shops and 124 residential houses, especially a prominent mosque.

Option 2: repair the former 390.21m of Renmin Road instead of widening it, and widen the latter 1516.37m while stick to the same line.

Compared with the option 1, option 2 avoids the demolition of the mosque and 9 shops and 25 residential houses. To reduce the impact on minority groups along the roadside, cautious steps should be taken to minimize to the greatest extent the negative impact on the society, economy, production, life and religious activities of local people. Taking the defects of the first plan into consideration and in order to avoid

impact on the religious places and activities, DI, PMO, PPTA group and the organizing committee would prefer option 2. That is, keep the current status of the original buildings located within 500m around the mosque and during the implementation of the project, avoid disturbing the religious activities of local minority groups. When constructing projects about 500m far from the mosque, people in charge should arrange the procedures reasonably to avoid interrupting religious rituals of local residents.

Table I-5 Minimizing Resettlement Impacts

Item		Unit	Before Mitigation	After Mitigation	Deference Between Before-After
Permanent LA	collective-owned land	mu	103.48	72.07	31.41
	state-owned land	mu	54.59	24.07	30.52
	Sub-total	mu	158.07	96.14	61.93
Temporary land occupation		mu	0		
House demolition	Residential (rural)	m ² era	14458.58	12757.04	1701.54
	Residential (urban)	m ² era	9818.25	7687.6	2130.65
	Enterprises	m ² era	7799.23	2580.61	5218.62
	Shops	m ² era	797.34	0	797.34
	Sub-total	m ² era	32873.4	23025.25	9848.15
Permanent LA	APs	Person	653	450	203
House demolition	Rural Residents	HH	49	49	0
	Urban Residents	HH	75	49	26
	Shops	No	9	0	9
	Enterprise	No	9	4	5
	Sub-total	No	142	102	40

II. PROJECT IMPACT

2.1 Project Impact Identification

19. According to the analysis of the real survey, the major categories of project impacts will include the following four types:

- (1) Loss impacts caused by land acquisition or occupation.
- (2) Impacts caused by demolition of residential houses and associated facilities.
- (3) Impacts caused by demolition of non-residential buildings.
- (4) Impacts caused by loss of public facilities and infrastructure.

2.2 Methods for Project Impacts Survey

20. To identify the project impacts, according to the requirements of the ADB, HM PMO and the DI organized a socioeconomic investigation team and investigated the affected population, houses, land and special facilities from December, 2007 to February, 2008 and obtained detailed information about the project impacts. Under the guidance of the technical assistance consultants, a complementary survey on affected families and village collective economic organizations was carried out from February to March in 2008.

21. The survey covered land acquisition, impacts on APs caused by land acquisition and house demolition, house and asset demolition, destruction or damage to scattered trees, rural facilities for living and production and special facilities, etc.

Survey on land acquisition: The design organization identified land acquisition scope on the spot, and then according to the present uses of land, investigation groups counted the area of land of different uses and corresponding occupants/owners.

Survey on APs: A sample survey on the affected population was carried out, including ethnicity, age structure, educational background and employment characteristics, etc.

Survey on houses and associated facilities demolition: The measurement of demolished houses was on the spot and was carried out house by house. A register was compiled detailing the different house structures, ownership and land types.

Survey of scattered trees: Trees were identified and recorded one by one in the range of land acquisition, and recorded according to ownership, size and species.

Survey on public facilities: Affected public facilities such as irrigation works, electric power lines/poles, telecommunication infrastructure etc was surveyed based on present information coming from departments, enumerators and persons concerned, then such information was registered on the spot.

22. All land acquisition impacts are caused by construction of new roads. The area within the range of project land acquisition and all the places that are affected by the land acquisition and project construction to the extent that the production and livelihood of the local people are affected are included in the resettlement survey.

23. At this stage, the impacts of land acquisition and house demolition surveys were carried out on the basis of the recommended scheme in the feasibility study report.

24. According to the above-mentioned scope, the land acquisition of this project will affect 3 communities and 3 villages of Hami City, respectively these are Binhe Road Community, South zhongshan road Community, North zhongshan road Community, Xicaiyuan Village, Beicaiyuan Village, DayingmenVillage. 24.07 mu of state-owned land (18.7mu stated-owned residential land and 5.37mu industrial land) will be occupied permanently by the project, and 72.07mu of collective land will be acquired, including 31.82mu cultivated area, 0.57mu vegetable plots, 10.95mu orchard land, 3mu forest land and 25.73mu residential area. 20444.64 m²houses will be torn down, 62.4 %(12757.04 m²) of which are in the country. 4 enterprises and public institutions occupying 2580.61 m² will be demolished.

25. To sum up, the total population affected by the project is 450. There are 99 households affected by land acquisition and house demolition with 322 persons, including 1 household of 3 persons being permanently occupied; 29 households with 98 persons are affected both by land acquisition and house demolition. 69 households with 221 persons are only affected by house demolition. 49 households with 160

persons are affected by rural house demolition while 49 households with 159 persons are affected by urban house demolition. Among the total, 4 non-residential houses including enterprises and public institutions are affected, with a population of 128.

2.3 Land Occupation Impact

2.3.1 Permanent LA of Collective (Non-Residential) Land in the country

26. A total of 72.07mu of collective land will be acquired. Details are shown in Table II-1.

27. Classified according to the use and types of land, 31.82mu cultivated area is occupied, accounting for 44.15%; 10.95mu orchard land, accounting for 15.19%; 0.57mu vegetable plots, accounting for 0.79%; 3mu forest land, accounting for 4.16%; 25.73mu homestead, accounting for 35.7%.

Table II-1 Permanent Collective Land Acquisition

Sub-district	Villages	Collective Land Acquisition					
		Total	Cultivated land	Vegetable land	Orchard land	Forest land	homestead
Ren Min Road	DayingmenVillage	65.77	30.65	0	10.95	3	21.17
	Beicaiyuan Village	2.23	0.25	0.25	0	0	1.73
	Xicaiyuan Village	4.07	0.92	0.32	0	0	2.83
Total		72.07	31.82	0.57	10.95	3	25.73

28. There are 10.95mu orchard land which belong to 7 households in Da Yingmen village will be affected by this project and 237 grown fruit trees ,17 young fruit trees which are mainly pear trees will be removed. The annual output value of the orchard land is CNY 2000 to CNY 3000 per mu. The compensation standard for orchard land is CNY 123,000 per mu which is 41 times of the annual output value. Otherwise, the trees will be compensated at replacement price.

Table II-2 Analysis on Impacts of Land Acquisition in Different Villages

Village	Before land acquisition				Land acquisition impact			Annual income loss		
	total household	total population	Cultivated/farm land (mu)	Average cultivated/ farm land (mu/household)	Cultivated/farm land (mu)	Land acquisition rate per village (%)	Average land loss (mu/household)	Annual loss of village (10000CNY)	Average annual loss (CNY/household)	Average annual loss (CNY/person)
Beicaiyuan Village	1	4	2.4	2.4	0.5	20.8	0.5	0.075	750	188
Dayingmen Village	28	94	92.85	3.3	44.6	48	1.59	6.69	2389	712
Xicaiyuan Village	1	3	1.24	1.24	1.24	1	1.24	0.186	1860	620

Note: village annual loss=Annual Output Value × LA amount (mu). Annual Output Value in compensation standard is calculated as 1500CNY/mu, the average of 1200-1800CNY/mu.

29. In all affected 30 households, (permanent collective land acquisition affects 1 household and HD and LA affect 29 households), 4 households lose all their land, accounting for 12.12% of total affected households; 1 household lose 81%~99% of their land, accounting for 3.03% of total affected household; 4 households lose 51%~80%, accounting for 12.12%; 20 households lose 21%~50%, accounting for 60.61%; 3 household lose 11%~20%, accounting for 9.09%. Analysis of Affected Household by Land Acquisition see Table II-3; Extent of Land Loss by Households see Table II-4.

Table II-3 Analysis of Affected Households by Land Acquisition

Towns/ Streets	Villages	Land Loss												Total	
		<10%		11%~20%		21%~50%		51%~80%		81%~99%		100%			
		HH	Pop	HH	Pop	HH	Pop	HH	Pop	HH	Pop	HH	Pop	HH	Pop
Renmin Road	Beicaiyuan Village	0	0	0	0	1	4	0	0	0	0	0	0	1	4
	Xicaiyuan Village	0	0	0	0	0	0	0	0	0	0	1	3	1	3
	Dayingmen Village	0	0	3	11	19	63	4	13	1	6	1	1	28	94
Total		0	0	3	11	20	67	4	13	1	6	2	4	30	101

Note: permanent land acquisition affects 1 household of 3 persons. Both LA and HD affect 29 households 98 persons.

Table II-4 Extent of Land Loss by Households

Total land holding	Extent of Loss						Total
	<10%	11- 20%	21 – 50%	51-80%	80 – 99%	100%	
<3 mu	0	3	20	4	1	2	30
3~5mu	0	0	0	0	0	0	0
5~7mu	0	0	0	0	0	0	0
>7mu	0	0	0	0	0	0	0
Total	0	3	20	4	1	2	30

30. Of the 30 affected households, all have landholdings of less than 3 mu. These households planted wheat, corn, and vegetables, once a year in Hami. The net income of wheat is 250CNY/mu, corn is 400~500CNY/mu. So the net income per capital is not more than 500CNY per mu.

31. To sum up, land acquisition has some impact on villagers. Beicaiyuan Village has 250mu cultivated land, 1.58mu per household. After LA, the percentage of land taken is 0.2%, at least 1.57mu per household. Xicaiyuan Village has 265mu cultivated land, 0.953mu per household. After LA, the percentage of land taken is 0.12%, at least 0.952mu per household. Dayingmen Village has 1368mu cultivated land and orchard

land, 2.51mu per household. After LA, the percentage of land taken is 3.7%, at least 2.43mu per household.

32. According to survey all APs demand cash compensation and hope to enjoy temporary or long-term low security fund (see 5.6.1). And they will invest in compensation shares, establishing new markets and creating new jobs. Resettlement Options of Land Loss Households see Table II-5.

Table II-5 Resettlement Options of Land Loss Households

Land loss rate	Household	Cash compensation (household)	Restoration strategy(household)			
			Join in low security fund	Join compensation shares in	Establish new markets and creating new jobs	Assemble the land and set up vegetable greenhouse
<10%	0	0	0	0	0	0
11~ 20%	3	3	0	0	0	3
21 ~50%	20	20	5	3	8	4
51~80%	4	4	2	1	1	0
81~99%	1	1	1	0	0	0
100%	2	2	2	0	0	0
Total	30	30	10	4	9	7

2.3.2 Permanent Acquisition of State-owned land

33. 24.07mu state-owned land will be permanently acquired because of the construction, including 5.37mu enterprises and public institutions, 18.7mu state-owned homesteading communities and villages. The details are shown in Table II-6.

Table II-6 Permanent State-Owned Land Acquisition

Category	Affected Enterprises	Area (mu)
Enterprises and public institutions	Hami Quality Examining Bureau	1.64
	Hami Local Taxation Authorities	0.34
	Hami Yakexi Company	0.73
	Hami Glass Manufacture Factory	2.66
Community/village	Binhe Road Community	1.86
	North zhongshan road Community	1.16
	South zhongshan road Community	11.15
	Dayingmen Village	4.53
Total		24.07

2.3.3 Temporary Land Occupation

34. The temporary land occupied will be mainly used to build sandstone plant, asphalt mixture plant, soil borrow-discard plant, production and living areas for construction workers and temporary roads during construction, etc. The project will adopt construction techniques section by section and the temporarily occupied land will all take up the land within the redline of the road.

2.4 Demolition of Houses/Structures

2.4.1 Demolition of Residential Houses

35. House demolition of the project affect 98 households of 319 persons. The demolition area is 20444.64m², including brick-concrete structure 572.47m²era (accounting for 2.80%), brick-wood structure 6562.04m²era (32.10%), earth-wood structure 12605.69m²era (61.66%), annex structure 704.44m²era (3.45%). 49 urban residential houses will be completely demolished, affecting 159 persons with an area of 7687.6m²and 156.89m²per household. 49 rural residential houses will be completely demolished, affecting 160 persons with an area of 12757.04m²and 260.35m²per household. See annex 5.

(1) Demolition of rural residential houses and its impact

36. 12757.04m²era rural residential houses will be demolished, affecting 49 households of 160 persons, as a result of constructing Renmin Road. Among these houses, there are 130.5m²era brick-concrete structure (accounting for 1.02%), brick-wood structure 5309.91m²era (41.62%), earth-wood structure 7004m²era (54.9%); annex structure 312.63 m²era (2.45%). Details see

37.

37.

Table II-7 Statistical Results of Rural Residential Houses Demolition

Road	Village/Community	APs	AHs	Area(m ²)				Total
				Brick-concrete	Brick-wood	Earth-wood	Annex structure	
Renmin Road	Beicaiyuan Village	4	14	0	127.96	392.8	183.4	704.16
	Xicaiyuan Village	6	20	0	759.33	874.21	13.23	1646.77

	Binhe Road Community	8	21	0	0	860.61	0	860.61
	Zhongshan Northern Road Community	1	4	0	0	90.5	L	90.5
	Dayingmen Village	30	101	130.5	4422.62	4785.88	116	9455
Total		49	160	130.5	5309.91	7004	312.63	12757.04

(2) Demolition of urban residential houses and its impact

38. 7687.6m² urban residential houses will be demolished, affecting 49 households of 159 persons, as a result of constructing Renmin Road. Among these houses, there are 441.97m² brick-concrete structure (accounting for 5.75%), brick-wood structure 1252.13m² (16.29%), earth-wood structure 5601.69m² (72.87%), annex structure 391.81m² (5.10%). Details see table II-8.

Table II-8 Statistical Results of Urban Residential Houses Demolition

Road	Village/ Community	Extent	APs	AHs	Area(m ²)				Total
					brick-concrete	brick-wood	earth-wood	annex structure	
Renmin Road	Beicaiyuan Village	100%	1	4	0	111.5	109.4	0	220.9
	Binhe Road Community	100%	4	10	0	115.5	525.52	0	641.02
	Zhongshan Northern Road Community	100%	3	7	0	311	327.89	21.5	660.39
	Zhongshan Southern Road Community	100%	41	138	441.97	714.13	4638.88	370.31	6165.29
Total			49	159	441.97	1252.13	5601.69	391.81	7687.6

(3) House Loss Extent Analysis

39. Among the 98 households of 319 persons, 5 of them are partially affected by the demolition of their kitchens or annex structure and have insignificant impact; the other 93 are to be completely demolished accounting for 95%. The details of loss extent analysis are showed in Table II-9.

Table II-9 Residential House Demolition Loss Extent Analysis

Towns/ Streets	Villages	House Demolition						Total
		<10%	11%~20%	21%~50%	51%~80%	81%~99%	100%	

		HH	Pop	HH	Pop	HH	Pop	HH	Pop	HH	Pop	HH	Pop	HH	Pop
Xihe sub-district office	Beicaiyuan Village	0	0	0	0	0	0	0	0	0	0	5	18	5	18
	Xicaiyuan Village	0	0	0	0	0	0	0	0	0	0	6	20	6	20
	Binhe Road Community	0	0	0	0	1	3	0	0	0	0	11	28	12	31
	North zhongshan road Community	0	0	0	0	0	0	0	0	0	0	4	11	4	11
	South zhongshan road Community	0	0	0	0	4	9	0	0	0	0	37	129	41	138
	Dayingmen Village	0	0	0	0	0	0	0	0	0	0	30	101	30	101
Total		0	0	0	0	5	12	0	0	0	0	93	307	98	319

40. The house demolition and relocation are the key issues for APs, both for agricultural and non-agricultural. In order to avoid any risk, the household income as well as future employment of APs should be borne in mind for the RP preparation and implementation.

The positive impact for house demolition is that APs' housing condition will be improved, and for those affected by both land acquisition and resettlement, it does provide a chance to convert their status during the urbanization process.

2.4.2 Demolition of Enterprises and public institutions

41. House demolition and stated land acquisition affect 2 enterprises and 2 public institutions, among them 2 enterprises and 1 public institution will be completely demolished with an area of 2356.3m² and 1 public institution will be partly demolished with an area of 224.31m², affecting 128 persons. The total area of the partly affected public institution is 800 m², and the house loss extent is 28%. The area of these buildings amounts to 2580.61m² and 5.37mu state-owned land will be occupied. The social and economic situation of 4 affected enterprises and public institutions are showed in

42. Table II-10 and the project impact details are showed in Table II-11.

Table II-10 Project Impact on Enterprises

No.	Name	Main business	Fixed assets(100 00CNY)	Annual Output Value (10000CNY)	Annual profit(10000CNY)	Status of business	Loss extent
1	Hami Quality Examining Bureau	Supervise quality	1000	-	-	ordinary	All
2	Hami Local Taxation Authorities	Tax	1500	-	-	good	Attached houses
3	Hami Yakexi Company	Repair cars	30	28	15	ordinary	All
4	Hami Glass Manufacture Factory	Glass for windows and doors	100	360	30	ordinary	All

Table II-11 Project Impact on Enterprises and Public Institutions

District	Road	Title	Affected enterprise situation						Demolition impact							
			Staff	Female	Type	Property owner	Occupied area(mu)	Stated land acquisition	house demolition(m²era)							
									Producing houses				Office or storage			
									brick-concrete	Brick-wood	earth-wood	simple	brick-concrete	Brick-wood	earth-wood	simple
Xihe sub-district office	Renmin Road	Hami Quality Examining Bureau	41	25	public institution		1.64	1.64						226.16	365.39	
		Hami Local Taxation Authorities	77	35	public institution		2.5	0.34			206.1	18.21				
		Hami Yakexi Company	3	0	enterprise		0.73	0.73			488.6					
		Hami Glass Manufacture Factory	7	2	enterprise		2.66	2.66			612				664.15	
Total			128	62			7.53	5.37			1306.7	18.21		226.16	1029.54	

2.5 Directly Affected Population

43. The project affects a population of 450 persons, while LA and HD affect 99 households with 322 persons, and affect 4 non-residential houses of enterprises and public institutions with 128 persons. For detailed information see Table II-12.

Table II-12 Directly Affected Population – All Categories

LA only		Residential HD only		LA and residential HD		Enterprises and public institutions		Total		
AHs	APs	AHs	APs	AHs	APs	No	APs	AHs	No	APs
1	3	69	221	29	98	4	128	99	4	450

2.6 Ethnic Minorities

44. Among the affected population of LA and residential HD, that is, 99 HHs with 322 persons, 65 HHs with 230 persons are ethnic minorities, accounting for 71.43%. Most of them are Uyghur and Hui. Affected ethnic minorities are equal to Han in social class, economic status, and their own ethnic features in terms of customs and religions are well preserved. Bases on the social economic survey, details are shown in Table II-15.

45. Among the households affected by land loss, there are 29 ethnic minority households will be affected by land acquisition. See table II-13.

Table II-13 Extent of Land Loss by Ethnic Minority Households

Towns/ Streets	Villages	Extent of Loss												Total	
		<10%		11%~20%		21%~50%		51%~80%		81%~99%		100%			
		HH	Pop	HH	Pop	HH	Pop	HH	Pop	HH	Pop	HH	Pop	HH	Pop
Xihe Sub-District Office	Daying men Village	0	0	3	11	19	63	4	13	1	6	2	1	29	94
Total		0	0	3	11	19	63	4	13	1	6	2	1	29	94

46. According to the survey, the wills of affected ethnic minorities are the same as those of all APs. They will invest in economic crops planting and breeding livestock,

growing vegetable in greenhouse and other nonagricultural activities etc. Vulnerable groups hope that government can provide helps and preferential policies for these industries.

47. All of the 65 ethnic minorities' households are affected by house demolition. The details of house loss extent are showed in Table II-14.

Table II-14 Extent of House Loss by Ethnic Minority Households

Towns/ Streets	Villages	House Demolition												Total	
		<10%		11%~20%		21%~50%		51%~80%		81%~99%		100%			
		HH	Pop	HH	Pop	HH	Pop	HH	Pop	HH	Pop	HH	Pop	HH	Pop
Xihe sub-district office	Beicaiyuan Village	0	0	0	0	0	0	0	0	0	0	2	6	2	6
	Xicaiyuan Village	0	0	0	0	0	0	0	0	0	0	1	2	1	2
	Binhe Road Community	0	0	0	0	1	3	0	0	0	0	3	10	4	13
	North zhongshan road Community	0	0	0	0	0	0	0	0	0	0	3	9	3	9
	South zhongshan road Community	0	0	0	0	2	6	0	0	0	0	23	93	25	99
	Dayingmen Village	0	0	0	0	0	0	0	0	0	0	30	101	30	101
Total		0	0	0	0	3	9	0	0	0	0	93	307	65	230

48. Among the 65 ethnic minorities' households, 3 of them are partially affected by not mainly part of house demolition and the loss extent is between 21% to 50%. Through the survey of 30 household's ethnic minorities in mainly affected area of Da Yingmen village, 28 households hope to rebuild new house on homestead or buy a new house with courtyard in order to plant trees and feed domestic animals. The other 2 households hope to live in a multi-story apartment after house demolition. They could rebuild new houses in planned homestead in the resettlement community or purchase single-storey building in resettlement community. The resettlement community is 1.5 km far from the village and the affected villagers can go back to the village with their motorbikes or bicycles in 10 minutes.

Table II-15 Ethnic Minority APs

Street	Village	Total APs and Ahs		Ethnic Minority		Hui		Uygur		others		Proportion
		Total AHs	Total APs	AHs	APs	AHs	APs	AHs	APs	AHs	APs	
Renmin Road	Beicaiyuan Village	5	18	2	6	0	0	2	6	0	0	33.33%
	Xicaiyuan Village	7	23	1	2	0	0	1	2	0	0	8.70%
	Binhe Road Community	12	31	4	13	1	3	3	10	0	0	41.94%
	Zhongshan Northern Road Community	4	11	3	9	0	0	3	9	0	0	81.82%
	Zhongshan Southern Road Community	41	138	25	99	10	37	14	58	1	4	71.74%
	DayingmenVillage	30	101	30	101	27	92	3	9	0	0	100.00%
Total		99	322	65	230	38	132	26	94	1	4	71.43%

2.7 Analysis of Vulnerable Groups

49. In the survey of impacts brought by resettlement, all conditions concerning ethnicity, age structure, education and employment were surveyed and analyzed. The affected vulnerable groups were defined by structure of family and comparative analysis with information from the local civil administration department. According to the survey, 13 households with 40 persons can be considered vulnerable. Details are shown in Table II-16. Taking vulnerable groups and ethnic minorities into consideration, special support will be provided by the project, and the expenditure is included in the resettlement budget. The special funds, accounting for 0.6% of basic resettlement costs, are specifically to assist vulnerable groups including ethnic minorities. There are 3 lonely elder people, 3 low income households, 1 household with disabled people and 6 women headed families.

50. Among the 3 lonely elder people, 2 of them are retired with pensions. With the pension the 2 old people are not poor and have a relative better living level. The other old people have lost living capability and need the help of his cognate. His basic source of income is a subsidy from the Civil Administration Bureau. After house demolition, the PMO will give him a 50 m² with two bedrooms and one hall house for free. He can rent one bedroom to others and get CNY4 00 to 500 income per month.

51. The 3 low income households have sufficient labors but lack of skills. The PMO will organize some free and relevant skill training, especially for younger family members to obtain higher paying jobs. To the elder family member they can get some public welfare positions with the monthly income of CNY 600 to 700.

52. The household with one disabled member has a subsidy from Civil Administration Bureau and the other family members have temporary jobs. After house demolition, they can get about CNY 180 thousand compensation with which they can asset for asset an 80m² resettlement house and purchase a 40 m² shop in the resettlement committee. The total price of the shop is CNY 80 thousand. The market price of this shop is CNY 100 thousand and if they rent the shop to others for doing business, the price will be CNY 15 thousand.

53. The pivotal problem of income restoring plan on 6 women headed households is provide more job opportunities. For one thing, the PMO will provide public welfare positions with the monthly income of CNY 600 to 700 to them. For another thing, they can purchase the shops for doing business. If they don't want to purchase shops, the PMO will give CNY 5000 per household. The affected households can choose these schemes voluntary. Among them, 3 households choose to purchase shops and 3 households choose to get money compensation.

54. Among the 13 vulnerable groups, 2 households can not afford the minimum type of resettlement house. One of them is a old people family, the other is woman head household, the PMO will provide 50m² resettlement house to them for free in order to help them to have a better living condition.

Table II-16 Conditions of Affected Vulnerable Groups

No	Householder	Community/Village	Family population (person)		Source of income	Reason	Impact	HD(m ²)	House loss extent	LA(mu)	Land loss extent	Resettlement Options
			HH Members	Labor								
1	Zheng Yumei	Xicaiyuan Village	2	1	subsistence allowance, renting	female householder with no stable income	HD	242.78	100%			Rebuild and purchase shop
2	Wang Yuzhen	ZhongshanSouthern Road	5	2	subsistence allowance, temporary job	female householder with no income	HD	85.38	100%			Asset for asset
3	Zaoerhanyusufu	ZhongshanSouthern Road	6	1	subsistence allowance, temporary job	female householder with stable income	HD	98	100%			Asset for asset
4	Guo Yufang	Binhe Road	2	1	temporary job	female householder	HD	63.41	100%			Asset for asset with a 50m ² house free

No	Householder	Community/Village	Family population (person)		Source of income	Reason	Impact	HD(m ²)	House loss extent	LA(mu)	Land loss extent	Resettlement Options
			HH Members	Labor								
5	Xianmixihanbalati	Dayingmen Village	2	1	renting	female householder with financial difficulty	HD&LA	323.7	100%	1.5	50%	Rebulid
6	Wang Zhongfang	ZhongshanSouthern Road	4	1	subsistence allowance	female householder with no income	HD	321.04	100%			Rebuild
7	Han Qirui	ZhongshanSouthern Road	1	1	salary	old and unhealthy	HD	102	100%			Asset for asset
8	Fan Guilan	Binhe Road	1	0	supported by children	old with no income	HD	82.18	100%			Asset for asset

No	Householder	Community/Village	Family population (person)		Source of income	Reason	Impact	HD(m ²)	House loss extent	LA(mu)	Land loss extent	Resettlement Options
			HH Members	Labor								
9	Cheng Xueren	ZhongshanSouthern Road	1	1	salary	old and unhealthy	HD	94.7	100%			Asset for asset
10	Cao Huiping	ZhongshanSouthern Road	3	2	subsistence allowance、temporary job	no income	HD	50.7	100%			Asset for asset with a 50m ² house free
11	Aizezikeya	ZhongshanSouthern Road	4	2	subsistence allowance、temporary job	financial trouble	HD	158.3	100%			Asset for asset
12	Sharanmuyunvsi	Dayingmen Village	3	2	temporary job	financial difficulty with no income	HD&LA	320.65	100%	1.5	50%	Asset for asset

No	Householder	Community/Village	Family population (person)		Source of income	Reason	Impact	HD(m ²)	House loss extent	LA(mu)	Land loss extent	Resettlement Options
			HH Members	Labor								
13	Ding Zhanyou	ZhongshanSouthern Road	6	1	subsistence allowance、temporary job	Disabled with no income	HD	220	100%			Asset for asset

2.8 Affected Ground Attachments, Public Facilities and Infrastructure

55. HMPMO will compensate or restore the Ground attachments, public facilities and infrastructure at replacement price. Details are shown in Table II-17.

Table II-17 Affected Ground Attachments, Public Facilities and Infrastructure

Item	Unit	Total	Type of impact	Owner
380V electricity	each	16	LA	Village committee
Transformer	each	2	LA	Village committee
Aqueduct	M ²	1288	LA	Village committee
Bridge	each	3	LA	Village committee
Water supply pipe	M	800	HD	Administrative institution
Drainpipe	M	260	LA	Administrative institution
Communication cable	M	2068	LA & HD	Administrative institution
Vegetable greenhouse	M ²	377.4	LA&HD	Villagers
Big tree(not fruit tree)	each	400	LA	Villager / Administrative institution /village committee
Small tree(not fruit tree)	each	1000	LA	Villager / Administrative institution /village committee
Scattered fruit tree	each	140	LA&HD	Villagers
Heating pipe	M	100	HD	Administrative institution
Communication wire pole	each	38	LA	Administrative institution
Tree(grown)	each	67	LA	Villager / Administrative institution /village committee
Fruit tree(grown)	each	237	HD	Villager /village committee
Fruit tree (young)	each	17	HD	Villagers
Manual well	each	7	HD	Villagers

III. SOCIAL ECONOMIC FEATURES AND IMPACT

ASSESSMENT

3.1 Social and Economic Status

56. Economic strength of Hami is in the medium level among the cities of Xinjiang. It is estimated that, in 2006, total production value is increased by 12.9% to CNY 6.761 billion, including: the first industry CNY 0.779 billion (increased by 8.8%); the secondary industry CNY 2.321 billion (increased by 14.1%); and the tertiary industry CNY 3.661 billion (increased by 13.1%). In the GDP of secondary industry, industrial production value is CNY 1.847 billion, 15% increased. The proportion of agriculture, industry and tertiary industry is adjusted to be 11.55: 34.23: 54.22. It is estimated that overall finance income is CNY 0.58 billion, including: local financial income of CNY 0.29 billion (increased by 27%); financial expenditure of CNY 0.524 billion (increased by 34%). The total volume of retail sales of the whole year is estimated to be CNY 2.006 billion, 16% increased over the previous year. The official unemployment rate is 3.9%. Natural growth rate of population is controlled within 7.36‰. Municipal total investment of fixed assets is predicted to be CNY 1.4 billion, 1.06 times of that in last year, and finished 140% of the assigned goal. Fifty key construction projects are determined in the whole city. An investment of CNY 1.003 billion (increased by 57.5%) and an investment of CNY 0.983 billion on fixed assets (146%) are predicted to be finished. Municipal accumulated financial investment is CNY 0.11 billion, 1 times of the last year. Among it: 13 agricultural key projects (investment estimated to be CNY 0.173 billion) will finish 97% of its annual plan; 12 industrial key projects (investment estimated to be CNY 0.273 billion) will finish 131% of its annual plan; 16 urban construction key project (estimated to be CNY 0.535 billion) will finish 111% of its annual plan; and its estimated to invest CNY 22.13 million in 9 social construction project.

57. The major struggle target of national economic development and social development of Hami in 2007 is: total output value of the city should attain the goal of CNY 8 billion, increased by 15%. Among it: the first industry comes up to 0.885 billion

CNY (increased by 10%); the secondary industry CNY 2.892 billion (increased by 20%); and the tertiary industry CNY 4.223 billion (increased by 12.9%). In the output value of secondary industry, industrial production value should come up to CNY 2.31 billion, 29% increased. Financial expenditure is CNY 0.55 billion, increased by 18.3% with the same caliber. Municipal total investment of fixed assets should come to CNY 1.82 billion, increased by 30%. The total volume of retail sales of the whole year should come up to CNY 2.307 billion, 15% increased over the previous year. Net income of the farmers and should reach to CNY 4100, CNY 400 increased. The official unemployment rate is 4%. Ecological environment is further improved, each kind of undertaking and urban and rural lineaments is greatly developed and progress is made in harmonious society constructing.

58. The eleventh five-year planning objectives of economic and social development is: to 2010, gross production value should achieve the goal of planned CNY 8.218 billion with an annual increase above 10%; GDP per capita should double that in 2000; annual increase of fixed asset investment should be above 18%; annual increase of the total volume of social consumer goods retail should be above 16%; and annual increase of local financial income should be above 20%.

59. Industrial structure optimization and upgrading. Annual increase of the first industry in the next 5 years should be above 8%, the second industry above 19% (industrial production above 20%), and the tertiary industry above 12%. The proportion of agriculture, second, and tertiary industry is adjusted to 8:47:45.

60. A continuous increase of rural and urban residents' income. Average disposable income for each urban resident comes up to 10 thousand or so, increased by 10%; average net income of each rural resident is over CNY 5000, with an annual increase of CNY 310.

3.2 Current Social and Economic Status of Affected Sub-districts

61. 3 communities in 1 sub-district and 3 villages are affected by the project. The 3 villages are being transformed from rural villages to urban CRCs; and almost in each family, at least 1 person is engaged in non-agricultural production. Most of the elderly and women are still engaged in agricultural production. The general information for the affected roads is shown in Table III-1.

Table III-1 General Information of Affected Towns/Sub-district

Index	Unit	Xihe Sub-District Office
Household amount	Household	15861
Population	Persons	52963
Including: agricultural population	Persons	4323
Woman	Persons	25422
Han	Persons	12540
Uygur	Persons	18544
Kazak	Persons	21345
Hui	Persons	534
Cultivated land	Mu	5211.99
Total production value	CNY10 ⁴	12693
Including: agricultural	CNY10 ⁴	1190
Industrial	CNY10 ⁴	10471
Tertiary industry	CNY10 ⁴	
Annual net income per capita	CNY/person	6252

3.3 Current Social and Economic Status of Affected villages and communities

62. The LA and HD of this project will affect 3 communities and 3 villages of Hami: Binhe Road Community, South Zhongshan Road Community, North Zhongshan Road Community, Xicaiyuan Village, Beicaiyuan Village, and Dayingmen Village. The average population per household is 3.13. The affected villages locate in suburban area, with convenient traffic, enough employment chances, little cultivated land, and in nearly every household there are family members are engaged in agricultural work. The agricultural crops are wheat, corn and cotton. Also some economic plants are grown such as vegetables and fruit trees. See Table III-2.

Table III-2 Social and Economic Status of affected village

population				Land amount					production value(10000CNY/year)			Net income per capita(CNY/year)			
	Agricultural population	Non-Agricultural population	minorities	cultivated land	Orchard land	Forest land	housing site	construction land and others	agriculture	industry	Tertiary industry	farmer net income per capita	Including: agriculture (%)	Industry (%)	Tertiary industry (%)
1	1904	-	1404	988	380	20	1718	300	342	110	166	6392	20	40	40
5	473	-	51	250	-	30	70	-	900	-	400	5800	50	-	50
7	909	-	104	265	-	9	15.3	-	1100	-	400	6250	60	-	40
7	-	10570	7363	-	-	-	-	-	-	-	-	12000	-	-	-
4	-	11516	3180	-	-	-	-	-	-	64	20	13200	-	-	-
9	-	8467	5268	-	-	-	-	-	-	-	60	12000	-	-	-

3.4 The Socioeconomic Survey

63. This survey was undertaken by the HMPMO under the supervision of PPTA consultants in January and May 2008. Its main objectives were: (i) to compile socio-economic information on the APs likely to lose land or property to the project component; (ii) to obtain information on the extent of APs knowledge of the proposed sub component; and (iii) to identify APs' preferences regarding land acquisition, house relocation and income restitution measures.

64. The survey involved collecting primary data from selected villages/urban residents' communities and households on the proposed road construction, three survey instruments were used: (i) a village level (including urban CRCs) questionnaire, administered to CRC leaders, and (ii) a household questionnaire administered to individual households.

65. A strict purposive and bespoke sampling frame was designed for household and business/survey and applied using data collected from the earlier IA survey and the current CRC level survey also conducted by the IA. The following selection criteria were applied:

- cover all village/urban communities that will suffer land loss;
- strong representation of households that will lose land, property or both with an sample ratio of at least 100%for those severely affected households
- inclusion of the least well-off or vulnerable households (the details of face to face interview of vulnerable households are showed in Appendix 6)

66. Within each village/urban community individual households were selected on the basis of their proximity to the proposed road alignment. As the alignment has neither been finalized nor clearly marked on the ground, it is not certain that all interviewed households will definitely be affected by the Project. This should not however affect the identification of the socio-economic characteristics of the APs.

67. The socio-economic survey covered 3 villages and 3 communities of 1 street. A total of 99 individual households (100% of total 99 households) were interviewed

containing 322 people (100% of total APs). There were 4 shop/business managers were interviewed nearby the proposed road alignments, but the data were not included in socio-economic analysis. The CRCs surveyed are indicated in Table III-3.

Table III-3 Surveyed Villages and Number of Households

Street/community	village	CRC	Surveyed Households(HH)
Renmin Road	Beicaiyuan Village	—	5
	Xicaiyuan Village	—	7
	Dayingmen Village	—	30
Renmin Road	North Zhongshan Road Community	—	4
	South Zhongshan Road Community	—	41
	Binhe Road Community	—	12
Total		—	99

3.5 Social and Economic Status of Affected People

68. The social economic survey for the APs has been conducted for 99 households, of which, 179 male and 143 female household members were interviewed. Of the total 99 surveyed households, 34 households have agricultural status and 65 households with non-agricultural status. This section will present the detailed findings on the household survey.

3.5.1 Demographic Features of APs

69. The detailed demographic features of surveyed APs are listed in Table III-4, including age, population composition, education and occupation by sex.

Table III-4 Demographic Features of Surveyed Households

Item	Male		Female		total	
	number	%	number	%	number	%
No. of Households					99	
Average population					3.25	
Age						
≤6 years old	6	1.86%	1	0.31%	7	2.17%
7-19 years old	20	6.21%	14	4.35%	34	10.56%
20-35 years old	47	14.60%	33	10.25%	80	24.84%
36-50 years old	54	16.77%	51	15.84%	105	32.61%
51-60 years old	26	8.07%	21	6.52%	47	14.60%
61-70 years old	11	3.42%	12	3.73%	23	7.14%

Item	Male		Female		total	
	number	%	number	%	number	%
≥71	15	4.66%	11	3.42%	26	8.07%
Total	179	55.59%	143	44.41%	322	100.00%
Nationality						
Han	51	15.84%	41	12.73%	92	28.57%
Hui	77	23.91%	55	17.08%	132	40.99%
Uygur	49	15.22%	45	13.98%	94	29.19%
Other	2	0.62%	2	0.62%	4	1.24%
Total	179	55.59%	143	44.41%	322	100.00%
Education						
Illiterate or half-illiterate	5	1.55%	8	2.48%	13	4.04%
Preschool	6	1.86%	1	0.31%	7	2.17%
Primary school	32	9.94%	37	11.49%	69	21.43%
Junior mid school	57	17.70%	56	17.39%	113	35.09%
High school Vocational Edu.	53	16.46%	26	8.07%	79	24.53%
College Edu and more.	26	8.07%	15	4.66%	41	12.73%
Total	179	55.59%	143	44.41%	322	100.00%
Marriage status						
Unmarried	63	19.57%	39	12.11%	102	31.68%
Spouses are alive	101	31.37%	85	26.40%	186	57.76%
Divorced	4	1.24%	5	1.55%	9	2.80%
Widow	11	3.42%	14	4.35%	25	7.76%
Total	179	55.59%	143	44.41%	322	100.00%
career						
planting	19	5.90%	28	8.70%	47	14.60%
industry	38	11.80%	26	8.07%	64	19.88%
business	4	1.24%	12	3.73%	16	4.97%
service industry	33	10.25%	21	6.52%	54	16.77%
transportation	2	0.62%	0	0.00%	2	0.62%
communication industry	1	0.31%	1	0.31%	2	0.62%
teacher	2	0.62%	4	1.24%	6	1.86%
cadre	8	2.48%	2	0.62%	10	3.11%
student	31	9.63%	21	6.52%	52	16.15%
retiree	23	7.14%	13	4.04%	36	11.18%
unemployed	13	4.04%	11	3.42%	24	7.45%

Item	Male		Female		total	
	number	%	number	%	number	%
Other	5	1.55%	4	1.24%	9	2.80%
Total	179	55.59%	143	44.41%	322	100.00%

Remark: (1) Retired age here means 66 years old and above for male and 61 years old and above for female, thus the labor sources related to those who are above 16 years old but not at school and below these ages. (2) The Other in Career refers to the jobs not listed in this Table or the old people and preschool children without labor capability.

Source: RP Social Economic Survey, from February to March 2008.

3.5.1.1 Age

70. The ages of the surveyed population showed that the population is approximately normally distributed with the majority of the population between 20-50 years old who represent the major work force and account for 57.45% of total sample population. The age intervals are divided based on the population composition, e.g., the students accounted for 16.15% of the total surveyed population, which is similar to the population of the 7-19 years old (10.56%). As for the labor force identification, many household members (over 60 years for male and over 55 years for female) were also reported as being in full time work, thus the true labor force population can be defined as between 16-65 years old for males and 16-60 years old for females who have left school or university education. According to this definition, therefore the total work force accounts for 74.8% of the surveyed population.

3.5.1.2 Education

71. 35.09% household members have received junior middle school education, and primary school education ranked second. A total of 37.26% of surveyed members have finished or are pursuing high school and advanced level education. The 13 illiterate respondents are mostly those who are over 55 years old.

3.5.1.3 Occupation

72. Generally, the occupation is classified as follows: the old people and women generally stay at home, engaged in farming and animal feeding while the young people leave home for jobs. There are 14.6% of the total surveyed laborers engaged in agriculture only, and another 19.88% engaged in industry. Those who are engaged in business accounted for 4.97%; service industry accounted for 16.77%, the retired accounted for 11.18% and 2.80% do other jobs.

3.5.2 Housing Conditions

73. Housing characteristics were assessed during the social economic survey although 1.02% households will not be affected (land acquisition only). Table III-5 shows that the average housing area for owner occupied houses for each household is about 152.51m²era, with the largest area of 789m²era (10 rooms). Only rural residential house demolition affects 69 households and 221persons. Both LA and HD affect 29 households and 98 persons.

Table III-5 Household Conditions of Surveyed Households

Item	No. of household	Minimum	Maximum	Mean	Std.Deviation
Rooms	98	1	13	5	2.34
Floor space (m ² era)	98	23.5	305.5	152.51	47.02

74. In surveyed households, 2.77% are brick and concrete structures and the remaining 32.03% reported their houses as brick-wood structures and 61.46% are earth-wood structure and 3.74% are complex structure.

75. The survey also asked to what extent respondents' houses will be demolished, 322 respondents answered and it shows that 100% of them recognized that all (100%) of their houses will be lost.

3.5.3 Land Resource and Land Tenure

76. Among the affected 30 households, each household owns 3.06 mu (see table 3-6). 22 households have cultivated land, 7 have fruit garden and 1 has forest land.

Table III-6 Land Statistics of Surveyed Households

Unit: mu/household

Item	No. of household	Minimum	Maximum	Mean	Std.Deviation
Cultivated area	22	0.92	8. 5	3.06	1.89
Fruit garden	7	1.5	3	2.72	0.56
Forest land	1	3	3	3	0

3.5.4.1 Household Financial Status

77. The incomes are divided into two categories: farming households and non-farming households. Given the complexity of the households surveyed in the joint areas of downtown and the countryside, the incomes, expenditures and savings of each affected household are carefully calculated based on "with farming income" and "without farming income" status rather than agricultural and non-agricultural status, as

shown in Table III-7.

78. On average, the incomes of the non-farming households are higher than those of farming households. It implies that they do not rely on land although some of them may have some land holding. The same patterns exist on per capita expenditure and savings. Income Sources of Surveyed Households see Table III-8.

Table III-7 Financial Status Per Capita of Surveyed Households in 2007

Unit: CNY/year/person

Item	No. of household	Minimum	Maximum	Mean	Std.Deviation
farming Households					
Per capita income	30	670	31500	6261.39	16425.285
Per capita expenditure	30	554	24362	4083	12848.557
Per capita savings	30	-7102	7138	2178.39	7228.4273
Non-farming Households					
Per capita income	69	24362	46000	9410.37	18396.355
Per capita expenditure	69	832	29451	5833.35	15285.364
Per capita savings	69	-12490	16549	3577.02	14546.964

79. To understand the financial status of the surveyed households, it is necessary to understand the income sources and expenditure patterns. Statistics showed that the income shares for both farming and non-farming households are almost the same. But the salary received by non-farming households is higher than those farming household, and saving is also higher. But non-farming households have to buy vegetables and food, so, the expenditure on this is higher than farming household.

80. Table III-9 showed that the expenditures spent for children's education accounted for 23.8% and 21.56% for farming and non farming households respectively, just behind food expenditure, which ranked the first with 33.77% and 47.05%. After tracking the survey data, it showed that the farming households with negative savings all borrowed money for paying student tuition, disease or related fees particularly for higher education and medical treatment.

Table III-8 Income Sources of Surveyed Households in 2007

Unit: %

Item	agriculture	industry	pasturage	Work outside	business	tour	Room rent	salary	fishing	other	total
farming household	35.32	2.93	0.9	13.06	21.86	7.75	1.26	4.46	0	12.45	100
non-farming household	0	14.84	0.3	21.42	21.08	0.23	6.16	27.70	0	8.27	100

Table III-9 Expenditure Patterns of Surveyed Households in 2007

Unit: %

Item	water charge	electricity charge	sewage charge	Garbage charge	Culture and Recreation	living	clothes	agriculture	business	rent	education	Medical treatment	transport	taxes	other	total
farming household	1.50	3.65	0	0.27	0	33.77	4.40	16.36	0	0.26	23.80	14.60	1.38	0	0	99.99
non-farming household	0.71	3.12	0.03	0.20	0.01	47.04	3.68	0	0.69	1.00	21.56	21.06	0.89	0	0	100.00

81. The vulnerable group has been identified based on the survey results and include the disabled, the elderly and female householders. The households which expend a lot because of illness or accidents should be identified vulnerable group.

82. It is clear that of the total 99 households surveyed, 13 households have been identified as vulnerable households, 3 are isolated elderly people, 3 have no stable salary, 1 is disabled and other 6 are female householders. They made a living by government support and some disabled persons increase income by operating shops with the help of government. Vulnerable groups account for 12.62% of total surveyed households.

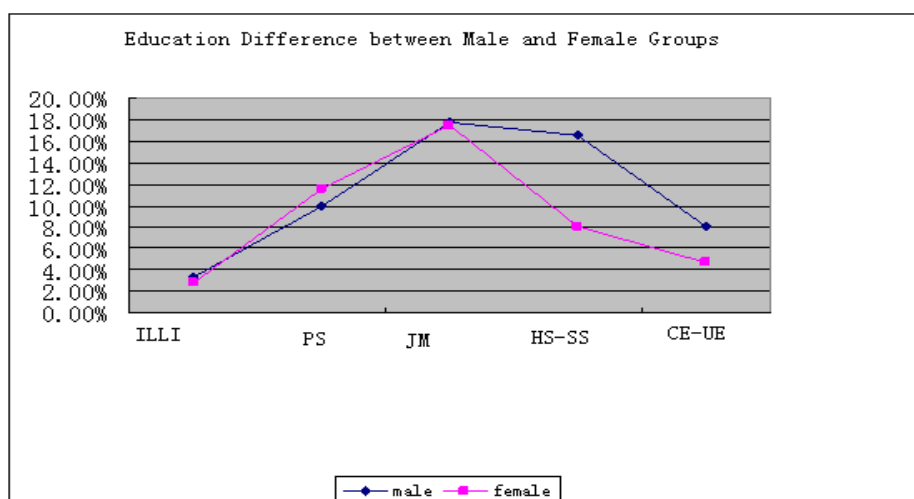
3.6 Gender Analysis

83. This part will discuss the gender issues related to the resettlement impact. In detail, this part will cover three aspects: (i) gender difference in education, (ii) gender difference in occupation and income, and (iii) gender views related to resettlement.

3.6.1 Gender Difference in Education

84. Based on the survey data tabulated in Table III-4, it is clearly shown from the project affected area that the overall education levels of women are lower than men. Figure III-1 showed that the percentage of education received for men's and women's groups. It is clear that expectations for similar percentages achieved at higher education and above, men received lower middle school education than women but women received lower primary education than men as represented by the left-shifted curve.

Figure III-1 Education Difference between Male and Female Groups



Note: Illi.=Illiterate, PS=Primary School, JM=Junior Middle School, HS=High School, SS=Secondary School, CE=College Education and UE=University Education. M=male and F=Female.

Source: Based on education data from Table 3-4. No. of responses: N=322

3.6.2 Gender Difference in Occupation and Income

85. Similar to and interlinked with the education background of men and women's groups, more women are engaged in farming than men, and 2.48% more women are engaged in business. 3.73% more men are engaged in service industry and 1.86% more in public institutions. Women and men are nearly equal in other jobs.

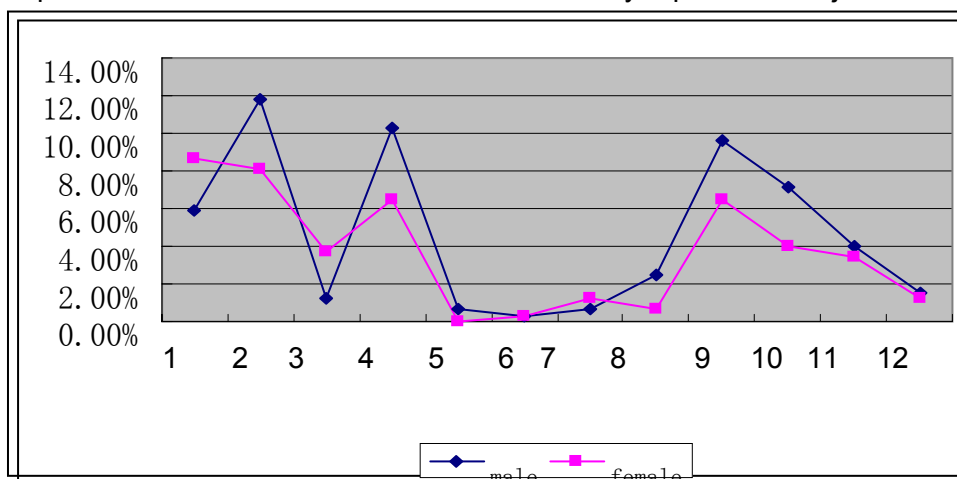


Figure III-2 Vocation Differences between Male and Female Groups

Note: 1=planting; 2=industry; 3=business; 4=service industry; 5=transportation; 6=communication industry ; 7=teacher; 8=cadre; 9=student; 10=education; 11=retiree; 12 = others.

86. Given the facts of potential APs' education and occupation background by

gender, subsequently the shares of women income in a household's total income were reviewed (See Table III-10), and 90 households were chose as samples for women income. The results showed that the women's share ranged from 15% to 100%, with an average of 59.75%.

Table III-10 Women's Share of Household Income in 2007

Indicator	Respondent	Minimum	Maximum	Mean	Std. Deviation
Women's Income Share	90	15%	100%	59.75%	27.52%

87. A sample of 143 women was analyzed both by survey and using participatory methods. The results are as follows. Important matters are decided by both spouses in the families where women have a better status. Men however are the backbones of the families in rural areas. They attend the conferences of the village. But women have the right to influence the decision that men have made. Women are mainly engaged in household chores and do some of the agricultural production work. Men are engaged in agricultural production and work outside the house. Generally speaking, women work longer than men. On land ownership, the affected areas are the same as the other parts of China and when girls get married, the ownership of her land is not transferred to her husband, but she will share her husband's land and his family-owned land. In terms of education, the opportunities for boys and girls are equal, and if a child works hard in school, whether male or female, parents always do their best to support their children to go to school.

88. In urban households, gender roles are more equal. Many urban women have a stable income. They also assume caring and housework responsibilities in family life however. Men mainly work outside the house and represent the household in outside issues. Other things are the same as rural households. According to the survey, issues which the women are concerned about were the same as the men: (a) Resettlement should be carried out in accordance with the standards of compensation for land resettlement outputs and cost accounting; (b) Placement of the road should be constructed so as to facilitate farming, working, business and education; (c) According to the demand of the affected families, compensation funds should be delivered directly to the affected households; (d) The living environment of the relocation site should be better than current areas in order to facilitate their adaptation into urban life.

3.6.3 Gender Perspectives on Resettlement

89. The male and female respondents were interviewed on the resettlement issues if

their house/buildings have to be demolished, and the results are tabulated in table III-11. It reveals that the frequently mentioned (over 50% for “All” column) nine major concerns (No.1, 2,3,4,5, 6, 7 ,9 and 10) and one minor concern (No. 8) are almost in the same order as that for both male and female respondents, and the importance with respect to each group can be shown from the percentage of responses. It also shows that more male are concerned on education of their children than female (6.23% difference) in the surveyed households.

Table III-11 Point of View about Resettlement

No.	Item	Male N =179		Female N =143		Total N =322	
		Major	Minor	Major	Minor	Major	Minor
1	Fair compensation	100.00	0.00	95.21	4.79	97.73	2.27
2	Timely compensation	98.09	1.91	92.02	7.98	95.21	4.79
3	Starting a new business is difficult but still hopeful	88.52	11.48	89.89	10.11	89.17	10.83
4	Loss of income	49.28	50.72	92.55	7.45	69.77	30.23
5	Future employment	58.85	41.15	85.64	14.36	71.54	28.46
6	Better education for children	87.08	12.92	80.85	19.15	84.13	15.87
7	Assistance during relocation	87.56	12.44	93.62	6.38	90.43	9.57
8	Separation from kin and Relatives	14.83	85.17	68.09	31.91	40.05	59.95
9	Other (assistance from government)	80.38	19.62	84.57	15.43	82.37	17.63

IV. PARTICIPATION, CONSULTATION AND GRIEVANCE

REDRESS

4.1 Identification of Stakeholders

90. Public participation and consultation are important procedures according to ADB policies and Chinese laws and regulations. Above all, the stakeholders should be identified. According to the feature of the proposed project, the stakeholders can be categorized as primary and secondary.

91. Primary stakeholders are identified as those directly impacted and those who purely benefit from the project, it mainly includes: (i) People directly affected by land and property losses; (ii) Enterprises and public institutions affected by land acquisition and resettlement; (iii) 3 Villages, 3 Communities as well as 1 sub-district (Jie Dao Ban) are affected by the road improvement; and (iv) all institutions and companies directly involved in the project construction and operation, such as construction contractors.

92. The secondary stakeholders include the indirectly beneficiaries such as the construction material suppliers, government organization involved in the project as well as those who are interested in the project and participate in the project related activities.

93. The purpose of identifying the project stakeholders is to ensure extensive public participation of and consultation to APs particularly those impacted, so as to ensure the smooth implementation of the proposed project without affecting the AP's livelihood. The following paragraphs describe what has been done and what still needs to be done in the process of achieving this goal.

4.2 Consultation during Project Preparation

4.2.1 Public Consultation

94. From December, 2008, a series of socio-economic surveys and public consultations (45% women participated) have been conducted by Designing Institutions (DI) and Hami Project Office (HMPMO), under the direction of Project Preparation Technical Assistance (PPTA) Consultants and further surveys were carried out from February to March, 2008. The surveys also served to make DI and IA aware of local conditions and APs' concerns. A summary of some key consultations/ meetings is contained in table IV-1. The details of the summary are shown in Appendix 4.

Table IV-1 Summary Consultation Records in Project Preparation

Institute	Date	Participant	Number of people	Objectives	Feedback/discussion of main issues
HMPMO and DI	2007.12-2008.1	APs, village cadres and engineering and technical personnel	60	Project resettlement, perambulation, primary survey of project impacts	Introduction on background and purpose of the project; choose the site with less cultivated land acquired
Survey team of HMPMO	2008.1- 2008.2	People in charge of Renmin Road Neighborhood Office, People in charge and villager representatives of Dayingmen Village, Beicaiyuan Village, Xicaiyuan Village, representatives of Binhe Community, Zhongshan Northern Road Community and Zhongshan Southern Community	100	Preparation for resettlement plan, socio-economic survey of resettlement impacts	Assist in impact investigation of the project; Villagers are strongly anxious for the project; Socio-economic survey and investigation to APs
PPTA Consultants, 4HMPMO, and DI	2008.2- 2008.3	Principals of unaffected Road Sub-district, villager representatives of 3 affected villages and 3 Communities	100	Preparation for income restoration plan	Consultation on compensation scheme and income restoration scheme

95. It is important to decide compensation levels and discuss income restoration plans, and training plans on the basis of these meetings and surveys. Through the meetings and socioeconomic survey, the main concerns of the APs are focus on the

following areas.

- 1) Through public participation in the meeting, APs know more information about the composition and concrete plan of this project and they put forward some suggestions for road construction and upgrading according to their own experience. In this project, the original plan of upgrading one road affected one Mosque. This issue was more concerned by the APs.
- 2) APs affected by land acquisition concerned more about three issues. The first one is whether they can get a non-agriculture job opportunity after losing part of land. The second is whether they can be trained in agricultural skills which can make their remaining land high yield, such as vegetable warm house. The last one is how to protect the left land during the construction.
- 3) APs of house demolition concern about if they can get reasonable compensation, where is the resettlement site and how to survive the transition period.

96. The PMO discussed the feasibility of the road improvement program with Local Design Institution according to the conclusions of the meeting with APs as the first concern above. They accepted some of reasonable views of APs on the road plans to adjust the program which can avoid a great deal of land acquisition and house demolition. As for the upgrading of Renmin Road with a Mosque on the side of this road, there are two options, if choose option 1 had to demolish the Mosque, the other option avoid Mosque demolition. After consultation meetings with APs, they finally choose option 2. The details are showed in Section 1.2.4.

97. The PMO discussed the land acquisition resettlement issues with the Land Resource Bureau and Labor and Social Security Bureau according to the conclusions of the meeting with APs affected by land acquisition as the second concern above. On one hand, the Land Resource Bureau explained the land compensation standards to the APs. On the other hand, the PMO undertook consultation with Labor and Social Security Bureau about the training for APs including high-efficiency agriculture cultivation technology and non-agricultural employment skills training.

98. The PMO discussed the house demolition resettlement issues with the Demolition Administration Office and affordable housing construction company according to the conclusions of the meeting with APs affected by house demolition as the third concern above. For one hand, the Demolition Administration Office explained the house compensation policies to the APs. On the other hand, the affordable housing construction company will give out news about the progress of house construction regularly to the APs. The APs also care about how to spend the transitional period after

house demolition, the shorter the period the better for them. The PMO urged the affordable housing construction company to finish the construction as soon as possible and ensure the quality of the houses at the same time. The APs can also get subsidy for transitional period and for the vulnerable groups they will receive both money and materials help.

4.2.2 Public Participation and Consultation Plan

99. With the continuous progress of preparation and implementation of the project, HMPMO, Sub-district Office and village collective will carry on a further public participation. Details are shown in table IV-2.

Table IV-2 Public Participation Plan

Purpose	Tasks	Time	Institution	Participants	Remark
Publish RP or information handbook	Provide the handbook	2008. 10	HMPMO	APs, affected enterprises and institution	Publish compensation standard, appeal channels and so on
Publish RP	ADP Website	2008.11			
Bulletin of land acquisition	Villager news board and villager meetings	2009.1	HMPMO	All APs	Inform of the area of acquired land, compensation standard, resettlement approaches and so on
Bulletin of compensation and resettlement scheme for land acquisition	Villager news board and villager meetings	2009.1	HMPMO, cadre of road offices and villages	All APs	Compensation and its payment
Material recheck	Field survey	2009.1	HMPMO, cadre of road offices and villages	All APs	Final determination of the impacts; Lists on land loss and asset loss; Preparation for compensation agreement
Determination of income restoration plan	Villager meetings	2009.1	HMPMO, cadre of road offices and villages	All APs	Discussion on final income restoration plan and compensation usage scheme
Inform the compensation and its payment date	Villager meetings	2009.1	HMPMO, cadre of road offices and villages	All APs	Inform the compensation and its payment date
Monitoring on APS	Family interview	2008.12-2011.6	HMPMO, cadre of road offices and villages	Random Sampling	Know about resettlement plan implementation and APs' livelihood restoration etc.

4.3 Appeals and Grievance Redress

100. In the compilation and implementation of resettlement plan (RP), public participation is encouraged, and thus there should not be any major controversy or grievances. However, there may be some unforeseen issues happening during such a detailed process. In order to effectively resolve such issues and ensure a smooth implementation of the project construction and land acquisition, an effective and transparent channel for lodging complaints and grievances has been established. The detailed are shown Chart 4-1. The basic channel for grievance redress are as following:

Step 1: APs could submit an oral or written complaint/petition to village committee/community committee, if they are not satisfied with RP. For an oral complaint, the village committee/community committee should make written records and give a clear reply; for a written petition, the village committee/community committee should solve it within 2 weeks.

Step 2: APs could appeal to the township government/sub-district office after receiving the reply, if they are still unsatisfied; the township government/sub-district office should deal with the grievance within 2 weeks.

Step 3: if they are still unsatisfied, they could appeal to Hami land administration bureau (HMLAB)/Hami demolition office (HMDO), and they must reply in 30 days.

Step 4: if they are still not satisfied with the reply, they can appeal to HMPMO for an administrative re-discussion, or they also have the right to appeal to the civil court within 3 months.

101. The AP can appeal against any aspect of resettlement program including the compensation rate. The appeal process in the above, institutions, sites, leaders, and telephone numbers for redress of grievances will be publicized to APs via meetings, notices and the information handbook. In this way, APs will fully realize their rights of appeal. Meanwhile, the system of information dissemination will be strengthened through the media, and all AP feedback will be compiled and distributed to all involved organization.

102. Relevant institutions shall accept APs' complaints and grievances free of charge. The reasonable charges as incurred shall be covered by the contingency of the project. During the whole project construction, these grievance procedures remain valid so that the APs may deal with relevant issues in it.

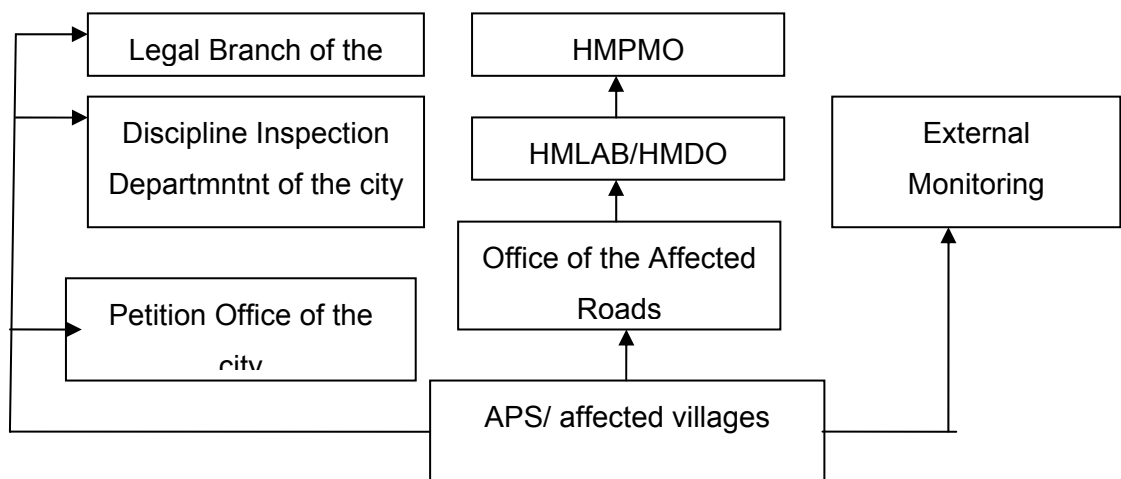


Figure IV-1 Diagram of Grievance Procedure for APS

V. LEGAL FRAMEWORK AND RESETTLEMENT POLICIES

5.1 Applicable Laws, Regulations & Policies for Resettlement

103. The resettlement policy in the project is established mainly in accordance with the relevant laws and regulations of the Asian Development Bank and China. This includes:

ADB Policies

- Involuntary Resettlement (effective as of November, 1995)
- Handbook on resettlement *A Guide to Good Practice* (effective as of 1998)
- Operations Manual-F2 on Involuntary Resettlement (effective as of October, 2003, revised in September, 2006).
- ADB's Public Communications Policy
- Gender and Resettlement Checklist

Laws and Regulations of PRC

- Land Administration Law of the People's Republic of China (effective as of January, 1, 1999, latest version on August 28, 2004)
- Regulations on Administration of the Housing Demolition and Relocation in Cities (promulgated by Decree No. 305 of the State Council of the People's Republic of China, and effective as of November 1, 2001)
- The State Council's Decision on Deepening Reform and Managing Strictly Land (State Council made[2004]28) (effective as of October 21, 2004)
- Guidelines on Improving the System of Land Acquisition Compensation and Resettlement (the Ministry of Land and Resources made) (effective as of November 3, 2004)
- Real Rights Law of the People's Republic of China (No. 62 order of the President of the People's Republic of China, and effective as of October 1, 2007).

Relevant Policies of Xinjiang Uygur Autonomous Region and Hami City

- The Notice of Party Committees and People's Government of the Xinjiang Uygur Autonomous Region on implementing The Notice of the CPC Central Committee and the State Council on Further Strengthening the Management of Land and Protection of Cultivated Land (Party Committees of Xinjiang Uygur Autonomous Region[1997] number 13, and effective as of June 27, 1997)
- Procedures of Xinjiang Uygur Autonomous Region on the Implementation of the Land Administration Law of the People's Republic of China (People's Congress of Xinjiang Uygur Autonomous Region [1999] number IX-13, and effective as of October 1, 1999)
- Implementation of Xinjiang Uygur Autonomous Region Regulations on Administration of the Housing Demolition and Relocation in Cities (People's Congress of Xinjiang Uygur Autonomous Region [2004] number 127, and effective as of December 21, 2004)
- Regulations made by planning committee of Xinjiang Uygur Autonomous Region on New Evaluation Houses [2001] number 500.
- Announcement on Tentative Plans for APs Benefiting from Low Social Welfare (Municipal Government of Hami [2007] number 100)
- Measures on the Administration of Low-Rent Housing in Towns of Hami (Municipal Government of Hami [2007] number 3)
- Announcement on Issues about Cadre Workers and the Masses Purchasing Economical Houses (Municipal Government of Hami [2007] number 65)
- Official Reply to Prices of the House Demolition and Relocation (Municipal Government of Hami [2007] number 93)
- Announcement on Criterion for Temporary Settlement of House Demolition in Hami City in 2007 (Municipal Government of Hami [2007] number 31)

5.2 The ADB Involuntary Resettlement Policies

104. The three important elements of the involuntary resettlement policy are (i) compensation to replace lost assets, livelihood, and income; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services;

and (iii) assistance for rehabilitation to achieve at least the same level of well-being with the project as without it. Some or all of these elements may be present in a project involving involuntary resettlement. For any ADB operation requiring involuntary resettlement, resettlement planning is an integral part of project design, to be dealt with from the earliest stages of the project cycle, taking into account the following basic principles:

- 1) Involuntary resettlement should be avoided whenever feasible.
- 2) Where population displacement is unavoidable, it should be minimized by providing viable livelihood options.
- 3) Replacing what is lost. If individuals or a community must lose all or part of their land, means of livelihood, or social support systems so that the project can proceed, they will be compensated and assisted through replacement of land, housing, infrastructure, resources, income sources, and services, in cash or kind, so that their economic and social circumstances will be at least restored to the pre-project level. All compensation is based on the principle of replacement cost.
- 4) Involuntary resettlement is conceived and executed as part of a development project or program. ADB and executing agencies or project sponsors, during project preparation, assess opportunities for affected people to share project benefits. The affected people need to be provided with sufficient resources and opportunities to reestablish their livelihoods and homes as soon as possible, with time-bound action in coordination with the civil works.
- 5) The affected people are to be fully informed and closely consulted. Affected people are to be consulted on compensation and/or resettlement options, including relocation sites, and socioeconomic rehabilitation. Pertinent resettlement information is to be disclosed to the affected people at key points, and specific opportunities provided for them to participate in choosing, planning, and implementation options. Grievance redress mechanisms for affected people are to be established. Where adversely affected people are particularly vulnerable groups, resettlement planning decisions will be preceded by a social preparation phase to enhance their participation in negotiation, planning, and implementation.
- 6) Social and cultural institutions. Institutions of the affected people, and, where relevant, of their hosts, are to be protected and supported. Affected people are to be assisted to integrate economically and socially into host communities so that

adverse impacts on the host communities are minimized and social harmony is promoted.

- 7) No formal title. Indigenous groups, ethnic minorities, pastoralists, people who claim for such land without formal legal rights, and others, who may have usufruct or customary rights to affected land or other resources, often have no formal legal title to their lands. The absence of a formal legal title to land is not a bar to ADB policy entitlements. The survey indicated that there are no non-titled households affected by the project.
- 8) Identification. Affected people are to be identified and recorded as early as possible in order to establish their eligibility through a population record or census that serves as an eligibility cutoff date, preferably at the project identification stage, to prevent a subsequent influx of encroachers or others who wish to take advantage of such benefits.
- 9) The Poorest. Particular attention must be paid to the needs of the poorest affected people, and vulnerable groups that may be at high risk of impoverishment. This may include those without legal title to land or other assets, households headed by females, the elderly or disabled and other vulnerable groups, particularly ethnic minority groups. Appropriate assistance must be provided to help them improve their socio-economic status.
- 10) The full resettlement costs are to be included in the presentation of project costs and benefits. This includes costs of compensation, relocation and rehabilitation, social preparation and livelihood programs as well as the incremental benefits over the without-project situations (which are included in the presentation of project costs and benefits). The budget also includes costs for planning, management, supervision, monitoring and evaluation, land taxes, land fees, and physical and price contingencies. Where loans include subprojects, components or investments prepared only after project approval and loans through financial intermediaries that are likely to cause involuntary resettlement, sufficient contingency allowance must be allocated for resettlement prior to approval of the loan. Similarly, resettlement plans should also reflect the timeframe for resettlement planning and implementation.
- 11) Eligible costs of compensation. Relocation and rehabilitation may be considered for inclusion in ADB loan financing for the project, if requested, to assure timely

availability of the required resources and to ensure compliance with involuntary resettlement procedures during implementation.

105. The major difference between ADB regulations and local regulations is that in the case of business interruption through resettlement/relocation, this constitutes an impact on an affected person's livelihood and therefore compensation is payable. Where a difference exists such as this on an ADB-funded project, ADB regulations will be followed.

5.3 Laws and Regulations of PRC

106. *Land Administration Law of the People's Republic of China* is the essential policy basis for land acquisition in the project. Meanwhile, to further clarify the compensation principles, compensation rates, land requisition procedure and supervision mechanisms of land requisition and resettlement, on October, 2004 the State Council promulgated *The State Council's Decision on Deepening Reform and Managing Strictly Land* (the State Council made [2004]28). On September, 2004 the Ministry of Land Resources promulgated *Guidelines on Improving the System of Land Acquisition Compensation and Resettlement* (the Ministry of Land and Resources made [2004] number 238). As listed in Chapter 4.1, these policies provide a significant guideline for resettlement. Table 5-1 illustrates the main contents of these policies and application to the project.

107. For required demolition on State-owned land within a planned urban area, the applicable policy is the *Regulations on Administration of the Housing Demolition and Relocation in Cities*. The Xinjiang Uygur Autonomous Region and Hami City formulated related local policies.

108. For details of articles and items of relevant policies, see Appendix 1.

Table V-1 Relevant Policies Relating to Land Acquisition and House Demolition and Their Application

number	Project	Land Administration Law of the People's Republic of China	State council [2004] number 28	Ministry of Land and Resources [2004] number 238	Land policies of Xinjiang Uygur Autonomous Region	Project Implementation Arrangements
1	Resettlement plan	developing land and resettlement plan	/	/	/	Developing a Resettlement Policy
2	Land compensation plan	(1) Land expropriated shall be compensated for on the basis of its original purpose of use; (2) Compensation for expropriated cultivated land shall include compensation for land, resettlement subsidies and compensation for attachments and young crops on the requisitioned land.	(1) According to law, timely and sufficient payment of compensation for the land, resettlement, ground attachment and green crops shall be ensured. If living level can not be restored, resettlement fees can increase after local government permits (2) the annual output value and area should be unified, the low land acquisition price is determined on the principle of same price in same area (3) land requisition fees shall list into budget	(1) determine annual output value; (2) determine the multiple of annual output value; (3) determine the comprehensive price of land acquisition area; (4) distribution of the land compensation fees	On the basis of land administration law, specific compensation policies and rates are work out in line with the actual condition of Xinjiang Uygur Autonomous Region	(1) resettlement plan will be conducted in strict compliance with the relevant regulations promulgated by the state or Xinjiang Uygur Autonomous Region and Hami City; (2) the annual output value conforms to the relevant regulations in Hami;(3)the minimum compensation of annual output value is 30 times; (4) all resettlement expenditures are included into the total investment.
3	Resettlement plan	(1) Support the rural collective economic organizations, the land of which is requisitioned, and the peasants in their efforts to engage in development or business operation or to start enterprises.	(1) There are projects bring about stable profit. Peasants use land use right as shares; (2) within a planned urban area, improvement of employment system and social security to safeguard AP's lives.	(1) Agricultural production resettlement (2) reemployment resettlement (3) dividend resettlement (4) relocation resettlement	Resemblance to the Land Management Law	(1) adopt cash compensation, readjust crop production structure, reform the medium cultivated land, develop aquaculture industry according to AP's wish (2) on project construction, APs have a priority to be arranged when need non-technical workers; (3) technical trainings of APs

number	Project	Land Administration Law of the People's Republic of China	State council [2004] number 28	Ministry of Land and Resources [2004] number 238	Land policies of Xinjiang Uygur Autonomous Region	Project Implementation Arrangements
			(3) out of a planned urban area, land resettlement, employment resettlement, or displacement resettlement shall be implemented (4) carry out employment trainings			
4	Procedure of land demolition and information publication	(1) Where land is to be expropriated by the State, the expropriation shall, after approval is obtained through legal procedure, be announced by people's governments at or above the county level, which shall help execute the requisition; (2) Once a plan for compensation and resettlement subsidies for requisitioned land is decided on, the local people's government concerned shall make it known to the general public and solicit comments and suggestions from the collective economic organizations, the land of which is requisitioned, and the peasants.	(1) inform of land acquisition condition, compensation rates, resettlement paths; (2) affirm the result of land acquisition surveys (3) organize an evidentiary hearing if it is necessary (4) establish and improve the and reciprocal mechanism of resettlement disputes	inform of land acquisition condition, compensation rates, resettlement paths; (2) affirm the result of land acquisition surveys; (3) organize an evidentiary hearing	Resemblance to the Land Management Law	(1) make a careful social and economic investigation, field measure must be affirmed by resettlement households ; (2) held a consultation meeting of public engagement and policy ; (3) deliver resettlement plan resettlement information handbooks; (4) announce land demolition in bulletin.
5	Supervision	(1) The rural collective	(1) If the plan for land	(1) publish land	(1) The management	(1) Carry out inner monitoring

number	Project	Land Administration Law of the People's Republic of China	State council [2004] number 28	Ministry of Land and Resources [2004] number 238	Land policies of Xinjiang Uygur Autonomous Region	Project Implementation Arrangements
	over implementation of land demolition	economic organization, the land of which is expropriated, shall accept supervision by making known to its members the income and expenses of the compensation received for land expropriation.	compensation is not implemented, land acquisition shall not be used forcefully; (2) on the principle of land compensation for land acquisition peasants, to determine distribution plan of the land compensation fees; (3) publish revenue, expenditure and distribution of land compensation, receive people's supervision.	acquisition approval items; (2) pay land compensation fees; (3) supervise and examine	plan should be determined by economic organizations and peasants' committees. The revenue and expenditure should be announced at least once 6 months, and accept the supervision of members of economic organization and peasants.	and outer evaluation; (2) compensation fees will be directly paid to affected teams and villagers, and announce in the bulletin; (3) HMPMO and bureau of land and resources will supervise and check it; (4) The use of resettlement funds for the projects will be audited.

5.4 Gaps between ADB and China Policies

109. In comparing the gaps between ADB and PRC policies, Table 5-2 shows that the distinctive differences are in the aspects of information disclosure and consultation which are lacking in content or in time delays. For some domestic central government funded small-scale projects, the only budget provided was for engineering works and the RP costs were left to the county or township government. Fortunately, this situation is changing and this Project is beyond that scope, as Hami has well prepared local by-laws for land acquisition and resettlement, and there are no substantial differences from ADB policies.

Table V-2 Gaps between ADB and PRC Policies on Involuntary Resettlement

No	ADB IR Policy	Comparison	Remark
1	Involuntary resettlement should be avoided whenever feasible	No difference Usually conducted with technical and financial optimization (alternative analysis)	
2	Where population displacement is unavoidable, it should be minimized by providing viable livelihood options	No difference c.f. Clause 13 of No. 28 document	
3	Replacing what is loss	No difference With compensation and assistance	
4	Each involuntary resettlement is conceived and executed as part of a development project or program.	Slight difference Also see No. 10	ADB procedure has been and will be followed
5	The affected people are to be fully informed and closely consulted.	Different. Usually no consultation, and the information disclosure are conducted after RP approval in China	ADB procedure has been and will be followed
6	Social and cultural Institutions	No difference. With compatibility analysis, China is experienced on this aspect	
7	No formal title	No difference. Negotiation on a agreed compensation	

		price in China	
8	Identification	No difference (ADB statement "as early as possible" is vague)	
9	The poorest	No difference Provided assistance	
10	The full resettlement costs are to be included in the presentation of project costs and benefits	Slight difference c.f. point of clause 12, No 28 doc. The full costs of land acquisition for national key development projects shall be included in the overall project budget.	ADB procedure has been and will be followed

110. Notwithstanding the minor difference in clause or statement, the most significant difference is on procedures, ADB requires RP preparation starting from the beginning of project preparation, but it will only be considered during the project land approval stage with no detailed social economic survey and no consultations with potential APs at that time. Meanwhile, during the time of project preparation, there are no specific persons responsible for RP affairs on a proposed project. It is very unlikely that project resettlement can achieve a successful result without a well-prepared RP. In short, the successful implementation of resettlement work needs strong enforcement of currently improved regulations and policies. Efforts have been made on this Project to bridge this gap by training and coaching IA staff. The ADB senior resettlement specialists, as well as PPTA consultants, have endeavored to make IAs fully understand ADB requirements and PRC policies on involuntary resettlement. This is just a start; further measures will be adopted after the PPTA phase and before RP.

5.5 Resettlement Principles and Eligibility for Compensation

5.5.1 Compensation Principles

111. The principle for compensation and entitlement of this project is based on the existing laws and policies of PRC and ADB with the objective of ensuring APs be provided with sufficient compensation and assistance measures to enable them at least to restore the living standards to their pre-project levels. For details of resettlement principles, see TableV-3.

Table V-3 Resettlement Principles

Principles	
1	Involuntary resettlement should be avoided whenever feasible
2	Living standards of the affected persons obtaining compensation and entitlements will be at least restored to the pre-project level, or better
3	Whether they have legal title or not, affected persons should be compensated and assisted
4	Economic compensation should be to ensure that the economic livelihood of people affected by the project is at least restored to the pre-project level after resettlement
5	If the land remaining after acquisition can not provide a living for an AP family, cash or other compensation to enable performance of activities to making money shall be provided.
6	Affected persons shall fully understand entitlements, the mode of compensation, livelihood and income restoration programs, the project time line, and take part in the implementation of the resettlement plan.
7	Land shall not be requisitioned before the affected persons are satisfied with the compensation and resettlement plan.
8	The executing agencies and an independent third party will monitor the operation of compensation and resettlement.
9	Special aid or treatment given to vulnerable groups will ensure they improve their socio-economic status. All affected persons shall have opportunities to benefit from the project.
10	The resettlement funds will provide a comprehensive coverage of all project impacts.

5.5.2 Eligibility for Compensation and Benefits

112. The cut-off date for compensation of this project shall be the date when the local government issues the order for stopping building activities. After this date, any growing and building in the project area shall not be eligible for compensation and relocation.

5.6 Compensation Standards

5.6.1 Compensation Standards for Acquisition of Collective Land

(i) Standards

113. Documents issued by the Development and Reform Commission and Finance Bureau of the Xinjiang Uygur Autonomous Region, stipulate that the average output value for superior, medium and inferior cultivated land are respectively 1200 CNY /mu, 640 CNY/mu, and 480 CNY/mu. The yearly output value of the cultivated land growing special crop, vegetable fields and garden should be higher than that of the average highest output per mu; the maximum of cotton fields, garden land, vegetable land and grape land shall not respectively exceed 1.5 times, 2 times, 3 times and 4 times of it.

114. According to site surveys and calculations, the compensation standards of the project have been determined based on consultation with the Land Resources Bureau of Hami and affected households. The standards for all kinds of land requisition are determined in accordance with the actual living level of affected areas and standards of annual output value and multipliers for compensation in the project areas. Details are

given in TableV-4.

Table V-4 Compensation Standards for Land Acquisition

Type	Annual Output Value (CNY/mu)	Multipliers of Compensation (Time)			Compensation rates (CNY/mu)			
		Land	Resettlement subsidy	Young crops	Land	Resettlement subsidy	Young crops	Total
Cultivated land	1200	10	20	2	12000	24000	12000	48000
Vegetable plot	3600	10	20	-	36000	72000	15000	123000
Orchard land	3600	10	20	-	36000	72000	15000	123000
Forest land	1200	7	20	0	8400	24000	0	32400
Homestead	1200	7		0	12000	0	0	12000

115. According to the rule that each person gets 0.33mu land, then the compensation for each person will be 37,000 CNY/mu, including relocation expense of 24,000CNY/mu per person. Two thirds of the compensation will be given to the individual, that is, 8000CNY/mu per person (the other one third remains in the village), while the compensation for young crops goes 5000CNY/mu per person.

(ii) Resettlement

116. According to *Announcement on Tentative Plans for APs Benefiting from Low Social Welfare* issued by Municipal Government of Hami, the government is to try this policy in 7 villages of 3 communities.

117. Qualified villagers whose land is acquired are able to enjoy the land loser minimum living security, which is in accordance with Urban Minimum Living Security and the standard is the same as Minimum Standard of Living (MSL). In 20007, the highest MSL reaches 130 CNY/mu/person/month. In the future, the MSL will be adjusted along with that of Hami City.

118. The criterion and calculating method for security fund will be based on the amount of land villagers have lost during house demolition, and the number of persons who live together to share their security fund.

Villagers whose family have lost all their land, will receive 130 CNY/mu/person/month.

Villagers whose families have lost part of their land, the security fund will be based on the difference between the cultivated area of each person after land acquisition and the criterion. Here is the formula: security fund the villager supposed to get= the land he loses (mu) / the land he possesses × the criterion of security fund. For example: a household has 3 persons, 1.5mu cultivated area, that is 0.5mu/person, and the project has taken 0.5mu land, so the security fund this family gets is $0.5/1.5 \times 3 \times 130 = 130$ CNY/mu. It can also be understood that one family member has lost his whole land, and he can join the urban minimum living security, that is 130 CNY/mu/month.

Rules regulating the years when villagers can enjoy the land loser minimum living security:

1. Among the villagers, the single old, the disabled, the young, the heavily sick, and students and enjoy the low security fund in the long run.
2. Within the labor age as required by law, villagers who are able to work will be given 3 years to restore business or jobs, and during this 3 years, they can enjoy the security fund; 3 years later, the policy of security fund will be carried out flexibly according to the regulations. The restoration period starts from the first month of the plan.
3. The affected villagers who lose their land again during the 3 years will be increased on the basis of the original lost land.

5.6.2 Compensation Standards for Acquisition of State-Owned Land

119. The State-owned land shall be appropriated by the government without charge because the project is constructed for public affairs. Use right of State-owned land in towns will be obtained through appropriation and the state-owned land acquisition compensation is 2-30 CNY/m²era. This project involves the state-owned land appropriation in Hami District and its compensation standard is 15-18 CNY/m²era. As for state-owned land occupation of enterprises, use right of land can be obtained when compensation based on benchmark land-price is paid. Hami benchmark land-price

standard see TableV-5.

Table V-5 Hami Benchmark Land-Price Standard

Unit: CNY/m²era

grade	grade one	grade two	grade three	grade four
Business land	762	503	310	188
Residential land	421	284	176	132
Industrial land	283	216	168	125

120. Benchmark Land-price of roads in the project sees TableV-6.

Table V-6 Benchmark Land-Price of Roads in the Project

Road	Benchmark Land-price grade	Type
Renmin Road	284CNY/m ² era grade two	Residential land
	503CNY/m ² era grade two	Business land
	216CNY/m ² era grade two	Industrial land

5.6.3 Compensation Standards for House Demolition

121. The compensation will be determined with reference to the evaluation of real estate and replacement price of local houses of the same kind in 2007. The compensation price of house demolition will be finally made after a local valuation by a real estate evaluation and mapping company. The final compensation price will be agreed with each AP on the basis of the valuation. The land acquisition compensation

and resettlement will obey rules in the Plan for Land Acquisition Compensation and Resettlement of Old Sections in 2007.

122. Compensation can either be paid in cash, or for asset for asset, including Huikangyuan resettlement community, Eastern Huancheng Road resettlement community and Northern Jiao Road low-rent house cheap renting houses, or asset for asset at the original place.

123. The compensation rates for all types of construction are shown as follows. In the course of project implementation, these compensation rates are the minimum without the admission of ADB.

(i) Compensation for urban houses

● Compensation Standard

124. Compensation standard for resettlement of urban houses is the same as for the rural houses. The difference is that compensation for land acquisition of urban houses includes compensation for state-owned land. See Table V-7.

Table V-7 Urban House Compensation Standard

Type	Item	Unit	Standard	Remark
Residential house	House compensation			
	Brick-concrete structure	CNY/m ² era	561.6	
	Brick-wood structure	CNY/m ² era	480.84	
	Earth-wood structure	CNY/m ² era	312.6	
	Land compensation			
	Reward fee for state-owned land	CNY/m ² era	284	
Following subsidy will be given to the APs with house demolition:				
Other compensation	movement fee	CNY/HH	300-350	
	temporary transition fee(building with two or more storey)	CNY /month/ HH	350	Transition period starts from the moving-out day and lasts until the moving-back day. Reasonable period is 1 year, if it is more than 1 year, the compensation continues.
	temporary transition fee(single-storey houses)	CNY /m ² era/month	3	Transition period starts from the moving-out day and lasts until the moving-back day. Reasonable period is 1 year, if it is more than 1 year, the compensation continues.

Type	Item	Unit	Standard	Remark
	award fee	CNY/HH	10000	Move out within 5 days after signing the agreement.
		CNY/HH	5000	Move out within 5-15 days after signing the agreement.
		CNY/HH	2000	Move out within 15-20 days after signing the agreement.

- Resettlement plan

125. If affected households choose cash for compensation, then it will compensate according to criterion of Land Acquisition Compensation and Resettlement.

126. If affected households choose asset for asset, then the compensation price will be classified into 4 grades, and the resettle places are Huikangyuan resettlement community, Eastern Huancheng Road resettlement community (see TableV-8) and criterion for asset for asset in the original place and asset for asset for Huikang resettlement community see TableV-9 and TableV-10.

Table V-8 Resettled in asset for asset

Grade	Criterion(the evaluated compensation price)	Plan
One	Less than 30000 CNY	Can rent cheap houses in Huikangyuan/mu resettlement community and Northern Jiao Road. For one household having more than one family, 2-3 cheap houses may be provided, and rent rate is 1 CNY/mu/ m ² era
Two	30000-50000 CNY	Adopting asset for asset in the original place, a house of 65 m ² era may be provided; Adopting asset for asset in Huikangyuan Community, a house of 70 m ² era may be provided; For one household having more than one family, 1 house may be provided together with 1 or 2 low-rent houses
Three	50000-70000 CNY	Adopting asset for asset in the original place, a house of 70 m ² era may be provided; Adopting asset for asset in Huikangyuan Community, a house of 75 m ² era may be provided; For one household having more than one family, 1 house may be provided together with 1 or 2 low-rent house
Four	70000-90000 CNY	Adopting asset for asset in the original place, a house of 80 m ² era may be provided; Adopting asset for asset in Huikangyuan Community, a house of 85 m ² era may be provided; For one household having more than one family, 1 house may be provided together with 1 or 2 low-rent house

Table V-9 standard for asset for asset in the original place

Grade	Area exchanged	Standard for floor exchanging (10 thousand CNY)					
		One	Two	Three	Four	Five	Six
Two	65	3.8	4.5	5	4	3.5	3

Three	70	5.5	6.5	7	6	5.5	5
Four	80	7.8	8.5	9	8	7.5	7

Table V-10 Standard for asset for asset in Huikangyuan Community

Grade	Area exchanged	Standard for floor exchanging (10 thousand CNY)					
		One	Two	Three	Four	Five	Six
Two	70	3.8	4.5	5	4	3.5	3
Three	75	5.5	6.5	7	6	5.5	5
Four	85	7.8	8.5	9	8	7.5	7

127. The average price for resettlement houses is 1200CNY/ m².

128. An instance is given here to illustrate asset for asset scheme: if a household has 3 persons, and the area is 60 m² of brick-concrete structure, so according to the compensation criterion they may get 60000 CNY, including 51000 CNY compensation for resettlement and land, 4000 CNY attachment, 5000 CNY award fee. This household belongs to Grade three, so they can change for a house of 70 m² in the original place on the fourth floor without a penny, or they can change for a house of 75 m² on the fourth floor in Huikangyuan resettlement community. Whichever plan they choose, the living area is larger than the original.

(ii) Compensation for rural houses

- Compensation Standard

See table V-11.

Table V-11 Rural House Compensation Standard

Type	Item	Unit	Standard	Remark
Residential house	House compensation			
	Brick-concrete structure	CNY/m ² era	561.6	
	Brick-wood structure	CNY/m ² era	480.84	
	Earth-wood structure	CNY/m ² era	312.6	
	Land compensation	CNY/m ² era		
	Residential area	CNY/m ² era	38	
Following subsidy will be given to the APs with house demolition:				
Other compensation	moving fee	CNY/household	300-350	
	temporary transition fee	CNY /m ² era/month	3	Transition period starts from the moving-out day and lasts until the moving-back day. Reasonable period is 1 year, if it is more than 1 year, the compensation continues.
	award fee	CNY/household	10000	Move out within 5 days after signing the agreement.

Type	Item	Unit	Standard	Remark
		CNY/hou sehold	5000	Move out within 5-15 days after signing the agreement.
		CNY/hou sehold	2000	Move out within 15-20 days after signing the agreement.

- Resettlement plan

129. In addition to the compensation standard for urban houses, if the village is unable to provide residential houses, it will provide individual homestead of 25300CNY/mu/mu(38CNY /m²) , and the location is Huikangyuan community and Huimin community (the original Northern Jiao Road low-rent house). Those resettlement houses are still of the same kind, while buildings with two or more storeys will apply the using-license of housing site. Buildings with two or more storeys and houses with a street frontage can circulate within the village.

(iii) **Compensation standards for enterprises**

130. Compensation standards for enterprises see V-12. If enterprises suffer losses due to interruption, then compensation should be given after agreement is made with the two.

Table V-12 Compensation standards for enterprises

type	item	unit	standard	Remark
Residenti al houses	house compensation			
	brick-concrete structure	CNY/m ²	561.6	
	brick-wood structure	CNY/m ²	480.84	
	earth-wood structure	CNY/m ²	312.6	
	land compensation	CNY/m ²		
	Reward fee for using land	CNY/m ²		
Other compensa tion	moving fee	CNY/HH	300-350	
	temporary transition fee	CNY /m ² / month	3	Transition period starts from the moving-out day and lasts until the moving-back day. Reasonable period is 1 year, if it is more than 1 year, the compensation continues.
	award fee	CNY/HH	10000	Move out within 5 days after signing the agreement.
		CNY/HH	5000	Move out within 5-15 days after signing the agreement.
		CNY/HH	2000	Move out within 15-20 days after signing the agreement.

5.6.4 Compensation Standards for Public Facilities, Ground Attachment

Table V-13 Compensation Standard for Attachments and Special Facilities

item	unit	standard	item	unit	standard
380Velectricity	each	800	small tree(not fruit tree)	each	35
transformer	each	1050	scattered fruit tree	each	15
aqueduct	M ²	300	heating pipe	M	30
bridge	each	5000	communication wire pole	each	800
water supply pipe	M	18	Trees (grown)	each	45
drainpipe	M	25	Fruit trees (grown)	each	120
communication cable	M	10	Fruit trees (young)	each	40
Vegetable greenhouse (structure)	M ²	42	Manual well	each	180
big tree(no fruit)	each	45			

5.6.5 Other Costs and Taxes

131. Other compensation standard for land acquisition and house demolition see TableV-14.

Table V-14 Other Costs

No.	item	standard	remark
1	land compensation fees for new construction land	24 CNY /m ²	Eleventh category of area
2	land cultivation fees	3000 CNY /mu	First-level cultivated land
3	cultivated occupation tax	5 CNY /mu	
	construction fund for new vegetable plot	3000 CNY /mu	
4	management fees of land acquisition	Calculated at 4% of land acquisition and resettlement compensation fees	
5	survey and design fees	Calculated at 3% of land acquisition and resettlement compensation fees	
6	implementation management fees	Calculated at 3% of land acquisition and resettlement compensation fees	
7	technical training fees	Calculated at 1% of land acquisition and resettlement compensation fees	
8	fees for external resettlement monitoring and evaluation	Calculated at 1.5% of land acquisition and resettlement compensation fees	
9	contingency	Calculated at 10% of land acquisition and resettlement compensation fees	

5.6.6 Vulnerable and Ethnic Minority Groups

132. Apart from the above compensation policies, affected vulnerable groups can also receive other preferential policies :

- 1) Skills training, employment information and guidelines will be provided to vulnerable families free of charge.
- 2) In the course of project implementation, workers from vulnerable families will be given priority for non-technical jobs.
- 3) 10000CNY/mu should be provided if sudden disease occurs to the vulnerable groups.
- 4) Low-rent house should be provided to the affected vulnerable groups. And renting fee should be reduced even be free from charge in the first transition period if they have serious financial trouble.
- 5) The special concern should be given to the living restoration of vulnerable groups. If they run shops, at least the same area house should be given to them in a good place. Help should be provided during relocation and support to prevent them from losing income source.

5.7 Entitlement Matrix

133. The Entitlement Matrix has been developed in line with the policies described above, and is shown in Table V-15.

Table V-15 Entitlement Matrix

Type of Impact	Extent of Impact	Entitled Persons	Entitlement	Compensation policies and rates
Permanent acquisition of collective land	72.07mu land will be involved in land acquisition, including 31.82mu cultivated land, 0.57mu vegetable plot, 10.95mu orchard land, 3mu forest land, 25.73mu residential land, and 3villages will be affected.	village collective and land-user	(1) Village collective, villagers or APs shall obtain the land compensation. (2) APs obtain resettlement subsidy and young crops fees (3) It is estimated that when the project starts 105 direct jobs and 90 indirect jobs will be created, including 15 managerial technicians, 35 skilled workers and 55 unskilled workers; indirect jobs include 20 managerial technicians, 30 skilled workers and 40 unskilled workers. APs will have priority for employment (4) PMO will provide non-technological work to affected women (at least 45% of technicians). Affected female labors will be considered first in skill training to protect their economic status. Training will help 600 APs and female APs can not fewer than 300 (accounting for 50%).	Cultivated area/wasteland/forest land: 1200CNY/mu/mu Vegetable plot: 3600CNY/mu/mu Land compensation is 10 times that of annual production, relocation compensation is 20 times, while wasteland is only given land compensation. Young crops compensation is 12000CNY/mu/mu, vegetable plot is 15000CNY/mu/mu. One third of the land compensation is given to the village committee, while the rest two thirds and relocation compensation and young crops compensation are given to land-users.
Rural house demolition	49 rural houses of 160 persons will be affected, with an area of 12757.04m ² . That's 260.35m ² /household	householders	Compensating for the house at replacement standard which is laid down by local price authority and structural engineer budgeting specialist. The compensation standard shall be above the market price. (1) compensated at replacement rates (2) Select freely the means of resettlement, including cash compensation and resettlement house purchase and rebuilding in free housing site. (3) Get a moving fee, temporary transition fee and award fee	Concrete and brick structure: 561.6CNY/m ² Brick and wood structure: 480.84 CNY/ m ² era; Wood and earth structure: 312.6 CNY/ m ² era, Moving fee: 300-350 CNY/household Temporary transition fee: 350CNY/household /month for building with two or more storeys; 3 CNY/ m ² era /month for single-storey houses. Paid for 12 months. But it will pay as actual transition period if exceed 12 months Award fee: 2000CNY /household to 10000CNY/household.
Urban house demolition	49 rural houses of 159 persons will be affected, with an	householders	(1) compensated at replacement rates (2) Select freely the means of resettlement, including cash compensation and resettlement house purchase and rebuilding in free housing site. (3) Get a moving fee, temporary transition fee and award	Concrete and brick structure: 561.6CNY/m ² Brick and wood structure: 480.84 CNY/ m ² era; Wood and earth structure: 312.6 CNY/ m ² era, Moving fee: 300-350 CNY/household Temporary transition fee: 350CNY/household /month for

Type of Impact	Extent of Impact	Entitled Persons	Entitlement	Compensation policies and rates
on	area of 7687.6m ² That's 156.89m ² /household		fee	building with two or more storeys; 3 CNY/ m ² era /month for single-storey houses. Paid for 12 months. But it will pay as actual transition period if exceed 12 months Award fee: 2000CNY/mu/household to 10000CNY/mu/household. Reward fee for the state-owned: 284 CNY/mu/ m ² era
Enterprises and public institutions	House demolition and stated land acquisition affect 4 enterprises. 3 enterprises will be completely demolished with an area of 2356.3m ² and 1 will be partly demolished with an area of 224.31m ² affecting 128 persons. The area of these buildings amounts to 2580.61m ² and 5.37mu state-owned land will be occupied.	proprietor	Compensating for the structure at replacement standard which is laid down by local price authority and structural engineer budgeting specialist. The compensation standard shall be above the market price. (1) Compensated at replacement rates (2) Get award fee (3) Get business interruption compensation	Concrete and brick structure: 561.6CNY/m ² Brick and wood structure: 480.84 CNY/ m ² era; Wood and earth structure: 312.6 CNY/ m ² era, Moving fee: 300-350 CNY/household Temporary transition fee: 350CNY/household /month for building with two or more storeys; 3 CNY/ m ² era /month for single-storey houses. Paid for 12 months. But it will pay as actual transition period if exceed 12 months Award fee: 2000CNY/ household to 10000CNY/mu/household. If enterprises suffer losses due to stop of production, compensation should be given according to agreement made between the two parties.
Vulnerable	13 households with	householders	(1) Occupational training and all kinds of employment	The compensation rate of house demolition and land

Type of Impact	Extent of Impact	Entitled Persons	Entitlement	Compensation policies and rates
ble groups	40 persons		information and guidelines shall be provided to vulnerable families. (2) Workers in vulnerable families shall be given priority.	acquisition is the same to other APs. The PMO will provide 50 m ² free resettlement house for two households and the vulnerable groups can choose to purchase shops with lower price than market price. The PMO also provide skill trainings and public welfare positions for them.
Minority groups	65 households with 230 persons	householders	(1) Get land acquisition compensation (2) Get priority in project employment (3) Get priority in free technological skill training	The compensation rate of house demolition and land acquisition is the same to other APs.
Women	143 persons		(1) It is estimated that when the project starts 105 direct jobs and 90 indirect jobs will be created, including 15 managerial technicians, 35 skilled workers and 55 unskilled workers; indirect jobs include 20 managerial technicians, 30 skilled workers and 40 unskilled workers. APs will have priority for employment (2) PMO will provide non-technological work to affected women (at least 45% of technicians). Affected female labors will be considered first in skill training to protect their economic status. Training will help 600 APs and female APs can not fewer than 300 (accounting for 50%). (3) APs can get resettlement information and participate in resettlement.	The compensation rate of house demolition and land acquisition is the same to other APs. There are 6 women headed households will be affected by this project. The pivotal problem of income restoring plan on 6 women headed households is provide more job opportunities. For one thing, the PMO will provide public welfare positions with the monthly income of CNY 600 to 700 to them. For another thing, they can purchase the shops for doing business. If they don't want to purchase shops, the PMO will give CNY 5000 per household. The affected households can choose these schemes voluntary. Among them, 3 households choose to purchase shops and 3 households choose to get money compensation.
Ground attachments		Owner of house property	Buildings and ground Attachments will be compensated as replacement price or will be rebuilt as former standard.	

VI. RESETTLEMENT MEASURES

6.1 Resettlement Targets

134. According to the actual living standard of resettlement in 2007 and the 11th-five-year plan for national economic and social development and the 2015 Long-term Targets, the objectives of resettlement for this project have been analyzed and determined as follows:

- (1) To ensure that annual net income per-capita of the displaced families can be restored to the previous level before resettlement, and to increase it based on the regional economic development speed.
- (2) To ensure that the overall living conditions of the displaced families won't be worsened by the implementation of the project.
- (3) The conditions of public utilities, infrastructure, schooling, medical treatment, natural environment, etc. will be improved or kept the same compared with the situation before the project.

6.2 Principles for Resettlement and Rehabilitation

135. According to the relevant national laws and ADB's policies for involuntary resettlement, resettlement should adhere to the following basic principles:

- (1) Optimization of design to minimize project impacts and the need for resettlement;
- (2) Resettlement and compensation policies should be smoothly implemented, so that living and production level of APs will be improved or at least restored to the pre-project level;
- (3) The resettlement plan should be compiled on the basis of material object index and compensation rate of land acquisition and house demolition. According to the requirements of fund-limited planning, the construction scale and standard of resettlement should follow the principle of restoring the previous scale and standard without an investment gap;
- (4) Full consultation on resettlement plan should be made with the affected persons;

- (5) Layout planning should be formulated based on the principle of “facilitating production, benefiting people’s living”;
- (6) Resettlement should be combined with the local urban development plan, resource exploitation, economic development and environmental protection. Feasible measures should be practically made to develop and restore production, with the adaptation to local conditions, and create the necessary conditions for self-development.

6.3 Summary of Rehabilitation Plan for Affected Villages

136. The total area of collective land acquisition of the project is 72.07mu, including cultivated land 31.82mu (44.15%); orchard land 10.95mu (15.19%); vegetable plot 0.57mu (0.79%); forest land 3mu (4.16%) and homestead 25.73mu (35.71%). The main impacts of land acquisition are caused by road construction, which has a linear distribution. Most of APs only lose part of land. Therefore, land acquisition has little impact to their agricultural production and income. (detailed analysis of land acquisition is shown in 3.7.1)

137. According to sampling survey on resettlement wills of the 30 affected families, all the APs demand monetary compensation and no land readjustment. However, compensation must be paid timely without delay. The compensation will be mainly used in subsistence allowance, buying shares in land compensation, business, planting industry, livestock breeding, and for skill training.

138. Three villages are involved in permanent land acquisition of the project. Five main measures for livelihood restoration are as follows:

a) Direct monetary compensation. Compensation standard and the amount of the acquired cultivated land should be determined, strictly following the related national and local policies. Compensation and resettlement subsidy should be paid to APs directly and timely. The compensation could be used to plant economic crops, improve livestock breeding and engage in non-agricultural production.

b) Land-lost peasants should be put into the category for subsistence allowance. That is to say, land-lost peasants, in accordance with the requirements, could enjoy subsistence security. Standard of subsistence allowance for land-lost peasant should

be decided referring to urban minimum livelihood protection. For those losing land totally, they will enjoy full subsistence allowance.

c) Buying shares in land compensation.

Villager representative meeting will be held to determine the allotment of land compensation. Villagers only need to put the land compensation into pension fund for unified management at their wills, so they can monthly get a return of 1% of their pension fund (regulation of fund statute is CNY10,000 to CNY50,000), meanwhile, the elders who buy shares can receive pension of CNY100 each month.

d) Establishing business and providing employment

APs could independently invest the land compensation in the primary wholesale market, which is planned to be built by village collective, through villager representative meeting. After completing the market, villagers could not only receive dividends but also could get more employment opportunities. For land-lost villagers, they would be provided more job opportunities.

e) Concentrating land, invigorating operation

139. To make better use of the rest land, village committee will try to concentrate villagers' land for vegetable greenhouse planting. Villagers could independently contract their land to village committee, and get rent from it. After the vegetable greenhouse is finished, it could be contracted to migrants from remote places. The rent can be used for commonweal project and dividends.

6.4 Rehabilitation Plan for Affected Villages

140. Dayingmen village, Beicaiyuan village and Xicaiyuan village of Xihe sub-district are affected by land acquisition in the project, with 30 households impacted. Among them, Dayingmen village is the most affected one, which has had ripe experience in resettlement for landless peasants.

Scheme 1: To put into the guarantee system of subsistence allowance.

141. Land-lost peasants, in accordance with the requirements, could enjoy urban subsistence security. Standard of subsistence allowance for land-lost peasant should be decided referring to urban subsistence security. For those losing land totally, they will enjoy full subsistence allowance. The highest standard of subsistence allowance

for landless peasant is 130CNY/month per capita in 2007, which would be readjusted according to that of urban subsistence allowance of Hami. For those who lose land partly, they will get subsistence allowance, based on landless percentage. Monthly subsistence allowance per peasant=the area of lost land (mu) /the previous area of land × the standard of subsistence allowance.

142. The length of enjoying subsistence allowance for landless peasant is different to each groups:

1. For the lonely elderly, the disabled, the children, the physically ill and the school students in landless peasant, they will enjoy a long-term subsistence allowance.
2. For those having working capacity in the legitimate age to participate in production, 3 years will be given to them for production restoration or employment. During the 3 years of restoration, they could enjoy subsistence allowance according the degree of land-losing; after the period of 3-year, policy of subsistence allowance will be carried out, according to the principle of dynamic management. Restoration period starts from the first month that experimental scheme is implemented.
3. If APs lose land again in the restoration period of 3 years, subsistence allowance will be increased on the basis of the area of pervious acquired land.

143. Standard of subsistence allowance for landless peasant and its calculation method is based on the area of acquired land and on the amount of family members in accordance with the requirements for enjoying subsistence allowance.

144. Dayingmen Village has a population of 1904 in 545 households, including 1404 minorities. There is cultivated land 988mu (1.81mu per household), orchard land 380mu (0.7mu per household), forest land 20mu (0.04mu per household) and homestead 1718mu. The annual net income per capita is about CNY 6392. The typical crops are wheat, corn and vegetables.

145. Permanent collective land acquisition of Dayingmen Village is 65.77mu, among that the sub-total of cultivated land, orchard land and forest land is 44.6mu; accounting for 3.2% of the total farm land, and homestead acquisition is 21.17mu. There are 28

households affected by the project, accounting for 5.32% of total households in the village, and 94 affected persons, accounting for 4.94% of total population in village. The average cultivated land acquisition amounts to 1.09mu per capita, orchard land 0.39mu and forest land 0.1mu.

According to the main agriculture structure (wheat, corn and vegetable), the annual net income of cultivated land is about 500 CNY /mu, orchard land 1000CNY/mu and forest land 400CNY/mu. It is calculated that the average annual net income loss in the village would amount to CNY27.5 thousand, which is CNY948 per household and CNY293 per capita. After land acquisition, the average area of cultivated land per household is 1.76mu, garden land 0.68mu and forest land 0.03mu.

Table VI-1 Income Loss and Compensation of Dayingmen Village

Village	A. Estimated income loss (10,000 CNY/year)	B.Compensation on Land Compensation					B/A
		Land type	Land compensation	Resettlement subsidy	Young crop compensation	Total	
Dayingmen village	1.53	Cultivated land	36.78	73.56	36.78	147.12	96
	1.1	Orchard land	39.42	78.84	164.25	134.69	122
	0.12	Forest land	2.52	7.2	0	9.72	82
Total	2.75		78.72	159.6	201.03	291.53	106

146. According to calculation, the compensation is total to be CNY 2915.3 thousand ,including land acquisition compensation CNY 787.2 thousand, resettlement subsidy CNY1586 thousand and young crop compensation CNY 2010.3 thousand . The compensation is 106 times of the anticipated annual income loss. Details are shown in VI-1

147. Through survey analysis and consultation, all the APs are willing to be brought into urban subsistence security system. It is calculated that, for the 20 households (68 people) affected by land acquisition, they could obtain urban subsistence allowance of 195CNY/month per household; for the 8 households (26 people) affected by orchard land acquisition, they could obtain urban subsistence allowance of 213CNY/month; subsistence allowance for the affected households is 199CNY/month. Details are shown in .table VI-2.

Table VI-2 Monthly Subsistence Allowance per Household Affected by Land Acquisition of Dayingmen Village

village	Dayingmen village		Total
Land type	Cultivated land	Orchard land	
Affected household	20	8	28
Affected population	68	26	94
Affected population per household	3.4	3.25	3.36
Land loss per household	1.53	1.37	1.49
Land area per household before land acquisition	3.48	2.72	3.26
Total area of land acquisition	30.65	10.95	41.6
Total land area before land acquisition	69.6	21.75	91.35
Subsistence allowance	195	213	199
Substance allowance standard per capita(month/CNY)	130	130	130

Scheme 2: Buying shares in land compensation

148. The affected Dayingmen Village lies on the outskirts of the city of Hami. From the 1990s of last century, land of the village was acquired for the continuous expansion of the city. To solve APs' living, production, income restoration and so on, Dayingmen village has lots of measures worthy of our reference.

149. Yingfeng Limited Company is established under the favorable policy of the City. Through participation in developing the company on the village land, Yingfeng Company has 108 shareholders, totally be the villagers.

150. Based on the thick local background, Yingfeng Company not only established "Yingfeng Pension Fund", but also decided to contribute 5% of its operating profit to the fund organization each year. Besides. It transferred the permanent management right of 30 shop fronts to the fund organization. According to this, the elderly (female: at the full year of 55; male: at the full year of 60) of Dayingmen Village who completely lose land, only need to put the land compensation into pension fund for unified management at their wills, so they can monthly get a return of 1% of their pension fund (regulation of fund statute is CNY10, 000 to 50,000), meanwhile, the elders who buy shares can receive pension of CNY100 each month.

151. On basis of compensation standard of the project, the landless peasant could

obtain land compensation of 37 thousand CNY/mu. That is to say, if the farmers hand over the compensation of CNY 37 thousand to Yingfeng Pension Fund, they could not only get pension fund of CNY 370, but also get a subsidy of CNY 100 from it each month.

152. And what is more: the elderly could withdraw their money from fund organization at any moment; and if they die someday, all their money will be refunded.

153. Although a risky investment, buying of shares actually has a high return, meanwhile it might lead to a high risk for the affected households. This can be an option available for the APs. The local PMO further consulted with affected and it was decided that the affected households will invest their compensation on a more stable recovery scheme, such as growing greenhouse vegetables and its related training program. And as Hami is also a tourism city, there are a lot of job opportunities in tourism industry.

Scheme 3: Establishing business and providing employment.

154. From the investigation, we know Xihe Sub-District Office plans to build a primary wholesale market. APs could invest their compensation on land acquisition and house demolition in market construction as a shareholder (60% of the farmers could have 2 houses at least). After completing the market, APs could be give priority to buy the house at cost price. The rest will be rented and the economic rent will allot to APs as dividends. The dividend percentage is determined by their investment and the annual income. For example: an AP deposit all the compensation of CNY 50 thousand in bank with the interest rate of 3.3%, he could get an interest CNY 1650 each year; if he buy shares of the primary whole market, its construction expenditure is CNY 10 million (total investment of shareholders), his money accounts for 0.5% of the total. The annual income of shop-renting is 500 thousand CNY, 10% of which is used as management fee for market operation by market management office, 90% of which is used as the dividend. The annual dividend=the percentage of his money in the whole investment*90% of the annual income=2250CNY, more than the interest from the bank. Besides, it will solve APs' employment and increase their economic income.

Scheme 4: Concentrating land and invigorating operation

155. The village lies on the outskirts of the city of Hami, so the area of cultivated land per capita is little, and in each household, at least 1 person undertakes non-agricultural

production. "Half working outside, half farming". Where farming is a waste of time and labor, many people contract land to others, and the income of working outside amounts to 70-80CNY/day. 60% of the farmers have at least 2 houses, one in the village and one in the city. Gross income per capita is 8000-10000CNY/year.

156. To make better use of the rest land, village committee will try to concentrate villagers' land for vegetable greenhouse planting and will pay 600CNY/mu to villagers each year. After the vegetable greenhouse is prepared, it will be rented out at 3000CNY/mu each year. For example, the 6th group of the village has an area of 332mu, village committee concentrate land and rebuilds it into 200 vegetable greenhouses. Construction cost of each greenhouse is 13 thousand CNY, and national subsidy of it is 5000CNY. The village committee raises 1.6 million CNY from land compensation etc. and invests it in vegetable greenhouse as sunken capital and fixed assets. Village committee pay a rent of 199.2 thousand CNY to villagers and rent the greenhouse to floating population at 0.6 million CNY. Therefore, they could obtain profit of 400.8 thousand CNY and use it in community-based project and for the payment of villager dividends.

6.5 Residential House Reconstruction Plan

157. In this project, 98 households (319 people) are affected by residential house demolition and total demolition area is 20444.64m², including brick-concrete structure 572.47m²era (accounting for 2.8% of the total), brick-timber structure 6562.04m²era (accounting for 32.1% of the total), earth-wood structure 12605.69m²era (accounting for 61.66% of the total), complex house 704.44m²era (accounting for 3.45% of the total). Among them, urban residential house demolition affects 49 households with a population of 159 (to be entire demolition). The total demolished area is 7687.6m² and demolition area per household is 156.89m²; rural residential house demolition affects 49 households with a population of 160 (to be entire demolition). The total demolished area is 12757.04m² and demolition area per household is 260.35m².

6.5.1 Resettlement Choices

158. Monetary compensation will be adapted to APs whose house is partly demolished. For the demolished is subsidiary house, kitchen, and stock piling bin, but not the main house, after house demolition, assessment and compensation will be given to the affected house and its attachments, and subsidy will be given to moving

and rebuilding. Therefore, house loss and homestead loss do not affect APs' living and production.

159. For the APs whose houses are completely demolished, resettlement schemes are: cash compensation, asset for asset of the resettlement housing, rebuild in planned homestead and purchasing single-storey house. Replacement price is the same between urban house demolition and rural house demolition. For urban house demolition, compensation should be given to state-owned land; for rural house demolition, homestead compensation is also included. Among the demolished rural residents, if all their land is acquired, they will be brought into Urban Minimum Living Security System and provided with a storied building of resettlement housing for asset for asset; if part of their land is acquired or the APs are the ethnics, they could rebuild new houses in planned homestead in the resettlement community or purchase single-storey building in resettlement community, so that it could meet their requirements of breeding, planting and courtyard. So the built house is favorable to APs. Detailed compensation standard is shown in 5.6.3.

Table VI-3 Compensation Option of Rural Residential Houses Demolition

Road	Village/Community	APs	AHs	Demolition Area(m ²)	compensation options(HH)			
					cash compensation	asset for asset	rebuilding	purchasing single-storey house
Renmin Road	Beicaiyuan Village	4	14	704.16		3	1	
	Xicaiyuan Village	6	20	1646.77			4	2
	Binhe Road Community	8	21	860.61		7	1	
	Zhongshan Northern Road Community	1	4	90.5		1		
	Dayingmen Village	30	101	9455		2	19	9
Total		49	160	12757.04				

Table VI-4 Compensation Option of Urban Residential Houses Demolition

Road	Village/Community	APs	AHs	Demolition area	compensation options(HH)			
					cash compensation	asset for asset	rebuilding	purchasing single-storey house
Renmin Road	Beicaiyuan Village	1	4	220.9		1		
	Binhe Road Community	4	10	641.02	1	3		
	Zhongshan Northern Road Community	3	7	660.39		3		
	Zhongshan Southern Road Community	41	138	6165.29	4	37		
Total		49	159	7687.6	5	44		

6.5.2 Introduction on Relocation Site

(1) Brief introduction on Huikangyuan Resettlement Community

160. Huikangyuan Community and low-rent house in Beijiao Road are people-benefit projects for urban demolition household, low-income family and poor family, which are all constructed by Hamin Hengan Urban Construction Investment Limited Company.

161. Huikangyuan Community covers an area of 593mu and plans to construct 51 buildings. Roads convert an area of 78mu, residential house covers an area of 227mu and the greening area amounts to 40% of the community. 51 buildings are to be constructed (260 thousand m²). The community is divided into 4 (A, B, C, D) residential districts. Among them, 720 households are in A district, mainly to be buildings and commercial stores; 480 households are in B district, mainly to be flat house and independent two-layer building; 216 households are in C district and 360 households are in D district, mainly to be buildings. Huikangyuan is a community with economical housing, low-rent housing, and commercial housing. Kindergarten, medical station, business-net spot, parking spot and leisure square are equipped in the community. Its construction started in 2006 and 2800 households and more than 8500 people could be contained in it after completing it. At the gate of the community, there is the terminal station of Bus. 14. The community has a good location, with the famous tourist site of Hami Palace nearby. At present, the main construction projects are 10 buildings, 50 flat

houses with red top, 18 flat houses with blue top, self-built house by APs and the whole matched. Demolished farmers partly-losing land can purchase resettlement flat house. Besides, they could choose to be resettled in the independent two-layer building. The project is undertaken by Hamin Hengan Urban Construction Investment Limited Company. The total investment of the project is planned to be 71.4486 million CNY, and the actual investment is 53.54million CNY. The project was finished at the end of November 2007.

162. Construction content and project progress of Huikangyuan Community in 2007: Ten buildings: construction area is 34412.52m², and the total investment is 28.07 million CNY; 464 buildings are constructed, including 7 economic houses (328 sets) with an area of 25367.64m², 1 commercial housing (36 sets) with an area of 3703.56m²; 2 low-rent buildings (96 sets) with an area of 4560m². The construction began in June 2006 and finished on October 15th 2007.

163. Construction of flat house with red top and blue top in the community: 68 flat houses are constructed and the actual investment is 6.85million CNY. The project began in June 2006 and finished in the end of 2006.

164. Equipment for 10 buildings in the community: supporting fund is 8.63million CNY, the main equipments are: intermediate water treatment project (treated domestic sewage could be used in greening); roads in B district; external network for heating supply, water supply and drainage; electricity supply; cable; street lamp; external pipeline network for heating supply, water supply and drainage in districts of E and F; earth work on the main road in the community. The project began in June 2007 and was brought into use on November 20th 2007.

165. Resettlement district of self-built house for landless peasant: resettlement districts lies in the northwest and southwest of the community. 177 households could be resettled or get house through property-exchanging here.

166. Huikangyuan Community construction is a detailed measure taken by Hami Municipal Party Committee and Hami Municipal Government, to solve the issue of

“people’s well being” put forward by the 17th National Congress of CPC (Communist Party of China). It is important to resolve the difficulties in housing, to establish and improve house-supplying security system of Hami, and to restrain housing price. As the first experimental project of intermediate water reuse, it plays a vital role in the demonstration and advocacy of the current situation of water shortage, as well as saving of water resource. For the demolished farmers who lose part of their land, they could purchase one story houses or they can choose, also they choose to be resettled in independent two-story houses...



Figure VI-1 Demolished urban residential house demolished rural residential house



Figure VI-2 House of different type in Huikangyuan Community (top left: shop front of the building; upper-right; bottom left: self-built house; bottom-right: independent two-layer building)



Figure VI-3 the instruction of self-built house in Huikangyuan Community (top-left: heating radiator which connected to the central heating system; top-right: courtyard.

167. Among the vulnerable groups, 2 of them didn't have enough money to purchase resettlement house according to the property assessment of their original houses which was lower than CNY 30 thousands. One of them is an old and lonely family; the other is a woman headed household. The Hami PMO will help them to get a house with property right after house demolition. They will give 50m² resettlement house to each household for free to ensure they can asset for asset register property. The structure quality and living environment of resettlement houses are better than their original places.

6.5.3 Resettlement house price and Vulnerable Group Assistance

168. At present, average price of commercial housing is above 2000CNY/m²era, but the housing price of Huikangyuan is 1200CNY/ m²era or so, for land transferring fee, designing fee and some other fees are not included. If affected households choose asset for asset, then the compensation price will be classified into 4 grades from CNY 30 thousand to 90 thousand, and the resettlement house area from 65m² to 80m². The resettle places are Huikangyuan resettlement community, Eastern Huancheng Road resettlement community (see TableV-8) and criterion for asset for asset in the original place and asset for asset for Huikang resettlement community see TableV-9 and TableV-10. If affected households choose to rebuild house on homestead, they will be given 0.4mu homestead, they build by themselves according to the planning of

resettlement community with the price of CNY 600 to CNY700 per m² or purchase single storey building which are ready-made. The ready-made single storey building are sold at the price of 150 thousand CNY (300m²), totally to be 500CNY/m². Affected households choose the type of house according to their economical status voluntarily.

169. For house demolition on state-owned land (that is urban residential house demolition), the purchased resettlement house could be transacted within the stipulated years.

170. For house demolition on collective land (that is rural residential house demolition), its land property is the same as before and homestead certificate will be handled. Buildings and shop fronts could be transacted in the village collective.

171. Among the 13 vulnerable groups, 2 households can not afford the minimum type of resettlement house. One of them is a old people family, the other is woman head household, the PMO will provide 50m² resettlement house to them for free in order to help them to have a better living condition. Besides, detailed arrangement has been made to education, employment, registered residence of APs' children. For those resettled in low-rent house, rent will be remitted for the poor family.

6.5.4 Application Procedure

172. After signing agreement on demolition and resettlement, APs could obtain sufficient cash compensation directly, if choosing monetary compensation; agreement on asset for asset will be signed, and APs could select floor, area and orientation on basis of their classes, if choosing asset for asset. The selected floor, area and orientation should be definite. If price difference exists, the time the house is handed over to APs, it should be made up and real estate formality should be gone through.

6.6 Restoration Plan for Enterprises and public institutions

173. Hami City is provided with counterpart aid to development by Guangdong Province. At present, Guangdong industrial zone has been constructed, including Enterprise Park and Logistics Park. After enterprise demolition, they need not to pay if moving to the industrial zone. Taxes of the first three years are remitted and only

subsidiary fee of 1000CNY/mu needs to be paid. They could build workshop by themselves. Road, greening, water supplying and draining have been prepared. For the demolished enterprises due to commonweal project, industrial zone will give a welcome to their moving in.

174. 4 enterprises and public institutions are included in demolition. Among them, 3 are entirely demolished and 1 is partly demolished (demolition of its management office building or attached house).

175. According to the investigation, 3 enterprises are entirely demolished and they all demand monetary compensation, and build in a proper place by themselves; 1 enterprise demands to be rebuilt in the present location. Details are shown in Table VI-3.

Table VI-5 Enterprise Resettlement Will

No.	Enterprises and public institutions	Main business	Fixed assets (10 ⁴ CNY)	Annual production value	Annual interest	Management state	Damage degree	Resettlement will
				(10 ⁴ CNY)	(10 ⁴ CNY)			
1	Hami Quality Examining Bureau	Quality examine	1000	-	-	Ordinary	Entire demolition	Monetary compensation, rebuild in a proper place by themselves
2	Hami Local Taxation Authorities	Tax	1500	-	-	Good	Attached house affected	Monetary compensation, rebuild in the present place by themselves
3	Hami Yakexi Company	Car repair	30	28	15	Ordinary	Entire demolition	Monetary compensation, rebuild in a proper place by themselves
4	Hami Glass Manufacture Factory	Glass for doors and windows	100	360	30	Ordinary	Entire demolition	Monetary compensation, rebuild in a proper place by themselves

6.8 Training and Employment for APs

176. The farmers affected by land acquisition and the demolition households will get monetary compensation. Besides, public welfare positions will be provided to the APs. For the affected place lies in the suburb of Hami, employment market is well developed, and at least one person of each family works in the city of Hami. Therefore, 20%-30% of the APs at the age of 40-50 demand a job. Road maintenance staff and cleaners will be increased after completing road construction, and APs will be given priority to these jobs, income of which is 600-700 CNY. It will be helpful to their income restoration. And certain training will be provided to APs. On basis of industrial structure and market demand of Hami and the surrounding regions, technical skill trainings will be focused on planting, livestock breeding, service industry and construction. Training types are mainly to be: vegetable training, fruit tree planting, poultry breeding, domestic animal breeding, livestock reproduction, tiler, agricultural machinery operating, agricultural machinery repairing, motorbike repairing, stone-mason, painter, electric welding, clothing cutting, concreter, waterproofing, bricklaying, animal inspecting and quarantining, veterinarian and so on.

177. Training forms are mainly to be professional skill training, single-capacity training, post training. Professional skill training is managed by labor and social security administrative department, and conducted by various education training organization, and employment units, focus of which is on agricultural techniques, livestock breeding, and forestry planting. Single-capacity training is a kind of training that is both practical and relevant. The trainee can enjoy single-capacity training no more than 3 times within 3 years, mainly to be serving industry. Post training aims at the profession and work with complex technique, high skill requirement, strict operating rules, this is directly related with product quality, consumer's health and safe living.

6.9 Protection of Women's' Rights and Interests

178. The affected area has a balanced sex ratio. Women enjoy the same rights as men in the affected rural communities, including land rights, education, family planning and participation in voting in rural communities. Of the surveyed female labors, most believe that they should enjoy the same rights as men, such as making independent choices regarding jobs, undertaking small business or farming on the land. In affected urban suburbs, women also enjoy the same rights as men. Generally, men take

responsibility for discussion of specific matters outside. But the decision is generally made through consultation with wives, women's opinions often even taking precedence. In the survey we also found that women not only keep the money but also do financial management. As for men, in addition to earning money, they are primarily responsible for export-oriented services such as funerals and weddings. Therefore, there is an old saying, "Husbands are the Cashiers; Wives are the Accountants." It is traditionally believed that men dominate in Muslim families. In the survey, however, it was found that women have the same voice in significant family events. Both women and men of each affected household will negotiate and sign the house demolition contract with the PMO. Women feel they have good skills to help in this process due to their experience in purchasing household goods and managing the household. This pivotal role in the relocation process will further promote women's status within the family. The urban road construction will be beneficial for women who need to purchase household goods. The relocation community will be equipped with an agricultural market and sports and cultural facilities, which will be good to women's' daily life. Therefore, the project construction and land acquisition will bring about net benefits to women and no identified adverse effects.

179. It is estimated that when the project starts 105 direct jobs and 90 indirect jobs will be created, including 15 managerial technicians, 35 skilled workers and 55 unskilled workers; indirect jobs include 20 managerial technicians, 30 skilled workers and 40 unskilled workers. APs would be given priority to employment. In the implementation of the project, the project office will ensure affected women of such employment opportunities (at least 45% of technical workers). Affected women labors will also have priority for technical training, so as to ensure their economic status will not be impaired in relation to men. The project will provide 600 person-days of AP skill training, including no less than 300 person-days for women (50% or so).

6.10 Development of Ethnic Minorities

180. Among the affected persons, affected ethnic minority groups' amount to 65 households with a population of 230 persons. The majorities are Uygur and Hui. Affected ethnic minorities have equal social status and economic conditions as the Han ethnic group. They preserve their own ethnic features of living habit, food, language and religious beliefs.

181. In the affected ethnic minorities, the Ha ethnic group is skilled in livestock

breeding, the Uygur is skilled in livestock selling, and the Hui is skilled in restaurant service. Therefore, each ethnic minority increase their income and living in making use of their advantages and geography.

182. For land acquisition, house demolition and resettlement, ethnic minority groups have the same compensation rights as the Han ethnic group, and have a priority for project employment, skill training and so on. To promote the development of ethnic minority groups, an Ethnic Minority Development Plan (EMDP) has been prepared under this project. Details are shown in EMDP report.

6.11 Rehabilitation of Infrastructure and Special Facilities

183. In restructure such as water channels, small bridge, and water supply pipelines affected by the project will be rehabilitated during the new road construction. The original specifications of such infrastructure will be substituted by the bridge, culverts and water supply pipes designed in the feasibility research report. This investment has been included in the total cost estimate of project. For affected trees, cash compensation will be given to the affected persons or collectives directly.

VII. BUDGET ON COMPENSATION AND RESETTLEMENT

7.1 Resettlement Costs

184. All the expenses arising from land acquisition and resettlement will be covered by the total budget of the project. All resettlement cost will be from domestic funds. On the basis of the prices of the second half year of 2007, the resettlement cost is CNY 23.0978million in total.

185. **Permanent land acquisition of collective land:** The compensation fee for permanent collective land occupation includes a land occupation fee, a resettlement subsidy and a compensation fee for above-ground assets and young plants. The total costs of permanent land occupation are estimated to be CNY 3.1857 million (13.79% of total costs).

186. **Permanent land acquisition of state-owned land:** The compensation fee for permanent state-owned land occupation is CNY3.7771 million including paid for the state-owned land and compensation fee for state-owned land.

187. **House demolition:** The compensation fee for house demolition is CNY10.2855 million (accounting for 44.53% of the total costs). Among the house demolition there are CNY5.8449million for rural house demolition (accounting for 25.3% of the total costs), 3.4636 million for urban house demolition, CNY 0.977 million (accounting for 4.23% of the total costs) for enterprises.

188. **Infrastructure and ground attachments:** The compensation fee is CNY 0.5953 million (accounting for 2.58% of the total).

189. **Taxes:** The compensation fee for taxes happened in the procedure of land acquisition is CNY 1.9532 million (accounting for 8.46% of the total).

190. **Other fees:** CNY 3.3011 million (accounting for 14.29% of the total) for

reconnaissance design expense, implementation management expense, technical training fee and contingencies fee. Contingencies fee has included in project budget and not repeatedly included.

Table VII-1 Resettlement Cost Estimates

No.	Items	Unit	Compensation standard (CNY/Unit)	Total		Proportion (%)
				Amount	Cost (CNY 10,000)	
1	Collective-owned LR	mu			318.57	13.79%
1.1	Cultivated land	mu				
	LA compensation	mu	12000	31.82	38.18	
	resettlement subsidies	mu	24000	31.82	76.37	
	Standing crops compensation fees	mu	12000	31.82	38.18	
1.2	Orchard land	mu				
	LA compensation	mu	36000	10.95	39.42	
	resettlement subsidies	mu	72000	10.95	78.84	
	Standing crops compensation fees	mu	15000	10.95	16.43	
1.3	Vegetable land	mu				
	LA compensation	mu	36000	0.57	2.05	
	resettlement subsidies		72000	0.57	4.1	
	Standing crops compensation fees		15000	0.57	0.86	
1.4	Forest land					
	LA compensation		8400	3	2.52	
1.5	Homestead	mu				

No.	Items	Unit	Compensation standard (CNY/Unit)	Total		Proportion (%)
				Amount	Cost (CNY 10,000)	
	LA compensation	mu	8400	25.73	21.61	
2	State-owned LR				377.71	16.35%
	Fees of Compensated use state-owned land	m ²	18	16049.29	28.89	
	Compensation fees adopted for business houses(grade two)	mu	503	0	0	
	Compensation fees adopted for residential houses(grade two)	m ²	284	6409.29	182.02	
	Compensation fees adopted for industry houses(grade two)	m ²	216	0	0	
	Compensation fees adopted for business houses(grade three)	m ²	310	0	0	
	Compensation fees adopted for residential houses(grade three)	m ²	176	6060	106.66	
	Compensation fees adopted for industry houses(grade three)	m ²	168	3580	60.14	

No.	Items	Unit	Compensation standard (CNY/Unit)	Total		Proportion (%)
				Amount	Cost (CNY 10,000)	
	Compensation fees adopted for second-leveled industry houses	m ²				
3	Rural house demolition				584.49	25.30%
	House compensation					
	brick-concrete structure	m ²	561.6	130.5	7.33	
	Brick-wood structure	m ²	480.84	5309.91	255.32	
	earth-wood structure	m ²	312.6	7004	218.95	
	Sample structure	m ²	200	312.63	6.25	
	moving fee	household	350	49	1.72	
	temporary transition fee	m ² /month(the total is 12 month)	3	12757.04	45.93	
	moving subsidies	household	10000	49	49	
4	Urban house demolition				346.36	
	House compensation					
	brick-concrete structure	m ²	561.6	441.97	24.82	
	Brick-wood structure	m ²	480.84	1252.13	60.21	
	earth-wood structure	m ²	312.6	5601.69	175.11	
	Sample structure	m ²	200	391.81	7.84	
	moving fee	household	350	49	1.72	

No.	Items	Unit	Compensation standard (CNY/Unit)	Total		Proportion (%)
				Amount	Cost (CNY 10,000)	
	temporary transition fee	m ³ month(the total is 12 month)	3	7687.6	27.68	
	moving subsidies	household	10000	49	49	
5	Enterprise house demolition				97.7	
	House compensation					
	brick-concrete structure	m ²	561.6	0	0	
	Brick-wood structure	m ²	480.84	226.16	10.87	
	earth-wood structure	m ²	312.6	2336.24	73.03	
	Sample structure	m ²	200	18.21	0.36	
	moving fee	household	350	4	0.14	
	temporary transition fee	m ³ month(the total is 12 month)	3	2580.61	9.29	
	moving subsidies	household	10000	4	4	
6	Attachments of houses				59.53	15.00%
	Subtotal 1-6				1784.36	
	Other subsidies					
7	Other fee				330.11	
	Survey and design expense	The percentage of subtotal 1~6	3%		53.53	
	Fees for management implementation	The percentage of subtotal 1~6	3%		53.53	

No.	Items	Unit	Compensation standard (CNY/Unit)	Total		Proportion (%)
				Amount	Cost (CNY 10,000)	
	technical training fees	The percentage of subtotal 1~6	1%		17.84	
	technical training fees for vulnerable groups and ethnic minorities				7.84	
	technical training fees for other groups				10	
	resettlement monitoring fees	The percentage of subtotal 1-6	1.50%		26.77	
	Un-predicted fees	The percentage of subtotal 1~6	10%		178.44	
	special support for the vulnerable groups and ethnic minorities among contingencies fee	The percentage of subtotal 1~6	0.6%		10.7	
	Other contingencies fee	The percentage of subtotal 1~6	9.4%		167.74	
8	LA tax and fee				195.32	
	Fees for new compensated use construction land	mu	24	48046.67	115.31	4.23%
	Farmland reclamation fee	Mu	3000	72.07	21.62	
	Farmland occupation tax	M ² ERA	5	48046.67	24.02	

No.	Items	Unit	Compensation standard (CNY/Unit)	Total		Proportion (%)
				Amount	Cost (CNY 10,000)	
	construction fund for new vegetable plot	The percentage of subtotal 1~6	3000	72.07	21.62	
	LA management fee		4%	318.57	12.74	
	Total				2309.78	

7.2 Annual Investment Plan

191. All project funds for resettlement and land acquisition are from local counterpart funds. Before and during implementation of this project component, in order to avoid negative impacts on the production and living conditions of the households whose lands will be acquired, the investment will be divided into different phases. Table VII-2 shows the resettlement investment plan.

Table VII-2 Annual Resettlement Investment Plan

Year	2009	2010	2011	2012	2013
Investment (10,000 CNY)	230.98	692.93	692.93	461.96	230.98
Rate (%)	10%	30%	30%	20%	10%

7.3 Management of Resettlement Funds & Disbursement

7.3.1 Cash Flow

192. According to the compensation policies and compensation rate set in the RP, all costs of compensation will be paid to relevant units and APs by the PMO through the sub-project office. The anticipated cash flow is shown in graph VII-1:

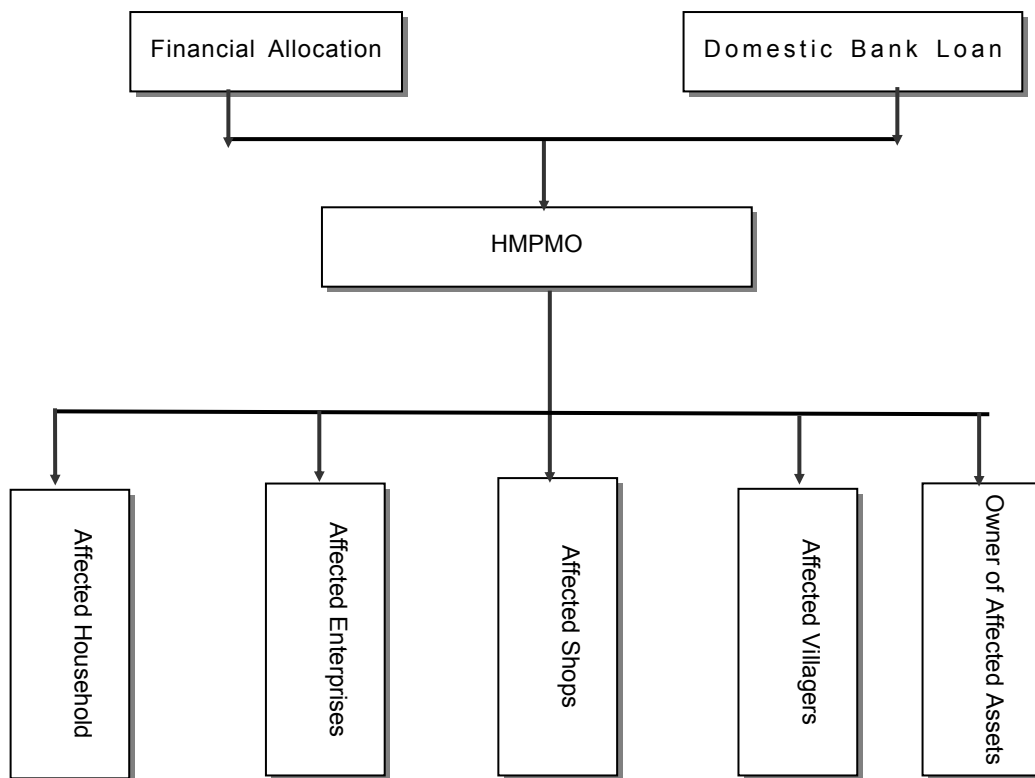


Figure VII-1 Capital Flow Figure

7.3.2 Management of Resettlement Funds & Disbursement

193. Land compensation and resettlement subsidies will be disbursed based on full consultation with APs. Crop compensation will be paid directly to APs; housing relocation compensation fees, infrastructure and associated compensation will be paid to the affected unit or individuals directly.

194. In order to ensure the funds for land acquisition and resettlement is paid to APs in full and in a timely manner in line with the compensation policies and standards of the resettlement plan, a strict fund appropriation plan has been established, the principles of which is as follows:

- All the costs related to resettlement are covered in the total budget of this project.
- The fund appropriation for land acquisition compensation and relocation assistance

must be finished before the implementation of land acquisition, in order to ensure all APs are relocated well.

- To ensure the land acquisition and resettlement can be implemented successfully, financial and supervisory institutions will be set up to ensure all funds can be appropriated in a timely manner.

195. The budget is based on the resettlement cost estimate. The resettlement costs may increase due to changes in the actual resettlement impacts and other factors such as inflation. As per the actual changes in the project, CJPMO guarantees the payment of compensation based on the detailed measurement survey (DMS) of the actual impacts. Meanwhile, the resettlement budget includes a contingency fee and will be modified based on the actual needs.

VIII. INSTITUTIONAL ORGANIZATION AND RESPONSIBILITIES

8.1 Responsible Institutions for Resettlement Implementation

196. The departments responsible for planning, implementation, management, and monitoring of the Hami ADB loan project component resettlement activities are:

➤ Road construction Leading Group of ADB Loan Project of Hami City (Leading Group of

➤ Project Management Office of ADB Loan Project of Hami City (HMPMO)

➤ Hami Construction Bureau (HMCB)

➤ Hami Land Resource Bureau (HMLRB)

➤ Hami Demolition Administration Office (HMDAO)

➤ Renmin Road sub-district office

➤ Bin Helu CRC, Zhong Shan Bei Lu CRC, Zhong Shan Nan Lu CRC

➤ Da Ying men Villager committee, Xi Cai CNY Villager committee, Bei Cai CNY Villager committee

➤ Design Institute

Road construction Leading Group of ADB Loan Project of Hami City is in charge of management of the project land acquisition, demolition and relocation, and development, implementation and supervision of the RP.

Project Management Office of ADB Loan Project of Hami City is in charge of resettlement investigation, development of the RP and implementation of demolition.

Hami Construction Bureau is the specific project implementing agency. Responsible for the socio-economic investigation and supporting the RP. Coordination manager with the Hami Land Resource Bureau, governments and affected village committees, and for implementation of RP activities.

Hami Land Resource Bureau is responsible for collective land and housing demolition and land acquisition, directing the implementation of resettlement, organizing and coordinating.

Hami Demolition Administration Office is responsible for housing demolition, directing the implementation of resettlement, organizing and coordinating.

Affected sub-district offices are responsible for the project impact investigation, and assisting the Land Resource Bureau to sign relocation agreements with land

departments and APs in order to implement land acquisition, housing demolition and resettlement.

Villager committees/ affected communities Responsible for providing the land contract, assisting with or participating in the various surveys and land acquisition work after the demolition of house sites. Coordinating with the contractor to provide vulnerable groups with work. Community mobilization activities for publicity, and accompanied by the relevant technical personnel undertake verification of the measurement, valuation and finalization of demolition agreements after AP negotiations. Providing a list of the local vulnerable groups.

Design institute Responsible for the design of the project and defining the scope of affected land, buildings and assets.

8.2

Organization

Chart

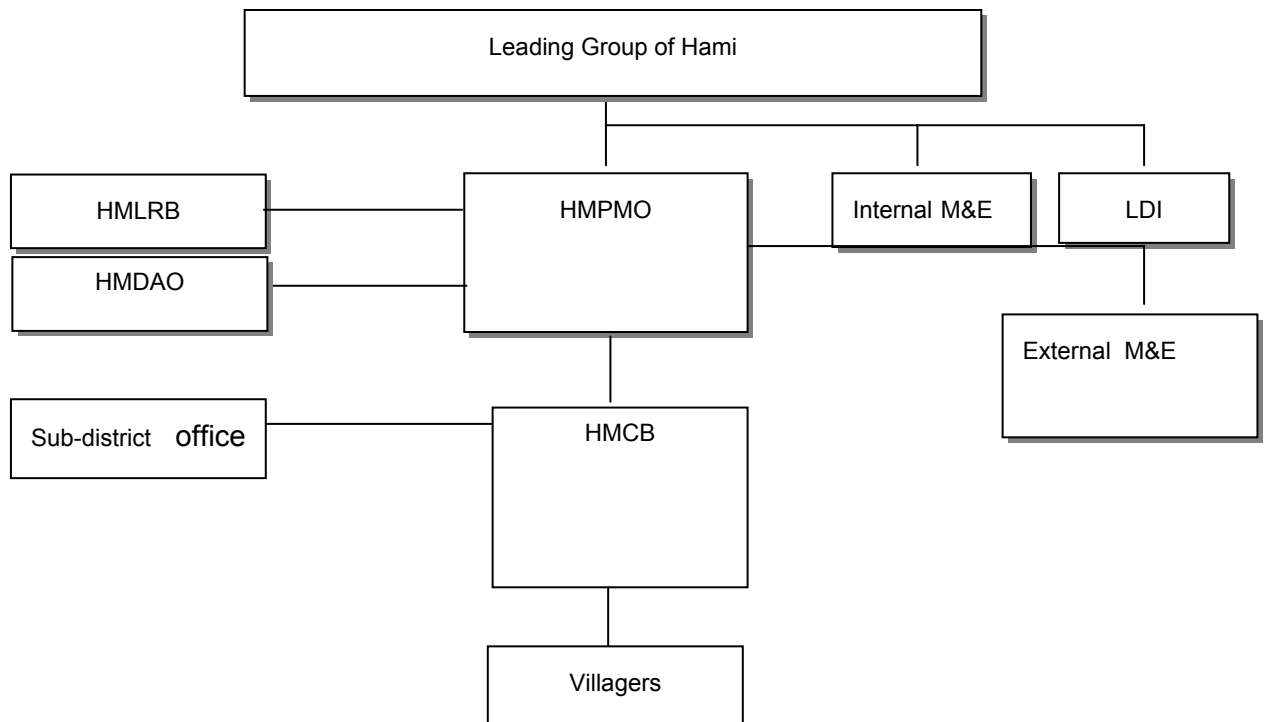


Figure VIII-1 Hami City Resettlement Organization Chart

8.3 Institutional Capacity for Resettlement Implementation

197. Key resettlement Implementation staff includes senior professionals from the people's government at many levels and administrative departments of Hami. Resettlement team members have organized many municipal engineering projects in the past which have involved resettlement and land acquisition, so they have much experience in this respect. They are experienced in the type of cooperative work and interaction required to efficiently work together and assist each other during the land acquisition, demolition and resettlement. Other involved organizations also consist of staff with much administrative experience on urban construction and reconstruction.

198. Under the guidance of the leading group and their affiliated office, the following are the details of the staff of organizations in charge of concrete tasks for land acquisition and resettlement. There are 13 major members in the office, 2 females

among them, accounting for 15% of the total. The major members of this office are directors and vice directors of bureaus and the average number of staffs of these bureaus who are in charge of concrete work is 2 person. Among the total staffs who are working for this project, 57% of them are females.

Position in the project	Name	Title
Group leader	Mang Like.sì yì tí	deputy director of Hami municipal committee and mayor
Vice- group leader	Wang Yuebin Wang Xiaosheng	commissioner of Hami municipal committee and deputy mayor deputy mayor
Staff	Zhong Yuefeng	Deputy secretary-general of Hami government, and director of Development and Reform Committee
	Diao Linshun	Director of HMCB
	Sun Fanmei	Director of Environmental Protect Bureau
	Wang Xinmin	Deputy director of HMCB
	Feng Jinsong	Director of Civil Affairs Bureau
	Ai He maiti	Director of Ethnic and Religious Committee
	Zhao Huaibin	Deputy Planning Bureau director
	Zhao Guanghua	City Land Resource Bureau director
	Liu Hui	Director of Xihe Sub-district office

8.4 Key Tasks of Resettlement Institutions

8.4.1 Road construction Leading Group of ADB Loan Project of Hami City

- Lead, organize, coordinate, make the policies, review the Resettlement Action Plan, implement internal monitoring and resolve any problems during the resettlement process.

8.4.2 Project Management Office of ADB Loan Project of Hami City

- Contract the design institute to define the scope of area impacts
- Conduct socioeconomic survey
- Apply for Land Usage Planning and Construction Permission License from Urban Land Planning Bureau
- Organize and coordinate the compilation of the RP
- Formulate the policies of the RP
- Confirm and coordinate the implementation of the RP according to project construction schedule
- Allocate resettlement funds and supervise the utilization of funds
- Direct, coordinate and supervise the implementation of the RP
- Organize and carry out internal monitoring, determine which institution will carry out external monitoring and coordinate external monitoring activities
- Review monitoring reports

- Coordinate the resolution of any conflicts and issues encountered in the implementation of RAP
- Submit reports on progress of land acquisition, house demolition, utilization of funds and the quality of implementation to the ADB regularly

8.4.3 Hami Construction Bureau

- Conduct the socio-economic survey
- Carry out an inventory of loss for land acquisition and demolition
- Organize public participation and relevant activities
- Consult on the resettlement process, develop the RP
- Carry out house demolition regulations
- Carry out relevant State regulations regarding land use for projects
- According to relevant policies, draft resettlement entitlements and compensation rates and submit them for approval
- Go through the formalities for land and house acquisition
- Apply for a Land Usage Planning and Construction Permission License
- Carry out the RP
- Sign compensation agreements with APs along with relevant district and county officials
- Review all resettlement activities undertaken
- Conduct information management of land acquisition, house demolition and rehabilitation
- Train staff
- Assist in the resolution of issues raised during resettlement
- Punish people undertaking illegal actions, either administrative or other
- Report to the Project Office on progress in land acquisition, house demolition and rehabilitation.

8.4.4 Affected sub-district offices

199. Managed by the leaders of Party and Government Offices, the Land Management Office, and assisted by village leaders, the main duties of the town government are to:

- Participate in the socioeconomic survey and assist in its completion;
- Organize public participation, and publicity of the resettlement policy;

- Implement, inspect, monitor and record the resettlement activities within the town area;
- Implement land acquisition and relocation;
- Pay and manage the land compensation funds;
- Supervise land acquisition, house and other affected asset reconstruction and/or relocation;
- Report on land acquisition, demolition and relocation progress to the PMO and Land Resource Bureau;
- Handle any conflicts and problems in the process of implementation

8.4.5 Villager committees/ affected communities

200. Village committees/communities are composed of the village commissions and main leaders of each community. They will:

- Participate in the socioeconomic survey and project impact survey;
- Organize public consultation, advocate the relocation policy;
- Select the resettlement sites, and assist with house site allocation for relocatees;
- Allocate and adjust land, organize production and other resettlement activities;
- Manage and allocate funds;
- Convey opinions and suggestions of APs to superior departments;
- Report on progress in the implementation of resettlement;
- Assist poor families affected by land acquisition;
- Coordinate with the relevant work of land acquisition and demolition.

8.4.6 Design institute

- Minimize the project effects through optimum design
- Define the scope of land acquisition and house demolition

8.5 Measures for Strengthening the Capacity of Resettlement Institutions

201. To ensure smooth implementation, staff in charge of land acquisition and resettlement will undertake relevant training, as detailed in the following training plan. The training workshops will be organized by the Xinjiang PMO.

8.5.1 Training Plan for Resettlement Management Staff

202. A system for staff training and human resource development will be established

at all levels of resettlement management institutions. This proposed training would comprise of issues pertaining to resettlement progress/project management.. The contents of training will include specialist lectures, technical training seminars, inspection of other similar projects and site training etc. The training plan is shown in TableVIII-1, while the training contents will include:

- Resettlement principles and policies;
- Planning and management of projects with resettlement;
- Resettlement planning and design;
- Resettlement progress management;
- Resettlement financial management;
- Resettlement quality control;
- Management information system;
- Resettlement monitoring assessment; and
- Resettlement project management.

Table VIII-1 Schedule for Resettlement Implementation Training

Time	Location	Training methods	Recipients	Training content
2007,12	Hami	Centralized course	Resettlement work staff	Resettlement business training
2008,1	Urumqi City	Seminars	Resettlement work staff	Discuss the resettlement experience and the problems
2008,2	Domestic	Learn from the demonstration	Key personnel of the office	The implementation site visit of the ADB project

8.5.2 Measures for Improving Resettlement Institutions

- 1) Clearly define responsibilities of the resettlement management institutions at all levels and strengthen monitoring and management;
- 2) Gradually enhance the strength of the resettlement institutions at all levels, especially in the aspects of technical strength and management quality, provision of necessary equipment such as computers, monitoring devices and transport tools etc.;
- 3) Strictly select the working staff, enhance the occupational and technical training for the managerial and technical staff for the purpose of upgrading their work capacity and management level;

- 4) Assign women leaders and ensure their full participation in resettlement implementation;
- 5) Establish a computer database, enhance the information feedback process and thus ensure effective information exchange at all levels so that the key resettlement issues can be resolved by the resettlement steering committee in a timely manner;
- 6) Enhance the reporting system, strengthen the internal monitoring and promptly solve any problems; and
- 7) Strengthen the assessment mechanism for external monitoring through establishing an early-warning system.

IX. RESETTLEMENT IMPLEMENTATION PLAN

203. According to the implementation schedule, the project will begin in 2007 and finish in 2013, in stages. Project preparation is from 2007-2009 then construction from 2009-2013. The resettlement schedule plan is consistent with the construction plan. House demolition and relocation will begin in Jan, 2009, and public assets will be fully restored by the end of construction in June, 2011. The basic principles for resettlement implementation are:

- Land acquisition must be completed 1 month prior to the commencement of construction. The starting time for land acquisition shall be determined according to the actual work of land acquisition and resettlement.
- During the resettlement, APs will have the chance to participate in the project. Before the construction, the range of land acquisition must be announced, information booklets must be distributed and public participation must be properly arranged.
- All types of compensation will be paid to property owners directly within 3 months of signing the land acquisition contract. No entities or individuals shall be allowed to utilize such compensation on behalf of APs. No interception or misappropriation of such funds in any cases shall be allowed.

9.1 Activities Prior to Resettlement

➤ Determine scope of land requisition and dismantling of houses

According to project design and layout, identify and peg land requisition areas based on detailed designs. Resettlement will be announced to the affected CRCs through meetings and notices regarding land acquisition will be displayed in the sub-district offices. Hami PMO will organize investigation and registration of the status of land, households, subsidiaries, and house properties within the pegged area.

➤ Field check of land requisition and dismantlement areas

The Hami PMO will organize appropriate staff of Land Administration Bureau and Demolition and Resettlement Administration Office to visit the affected sites, check and register land, houses, subsidiaries, utilities, equipment etc, and determine the nature and proprietary rights of infrastructure, and record the information in detail.

➤ Draw up the plan of land acquisition and resettlement and confirm and

compile the budget

The RP will be updated based on the detailed design and DMS and will be sent to the ADB for approval prior to commencement of land acquisition, demolition or civil works. According to findings of investigation, the Hami PMO will prepare the compilation of the land acquisition and resettlement plan and prepare a budget based on relevant policies and regulations, and then will submit the plan and budget to Hami Municipal Construction Committee for review.

➤ Contract signing

Under the coordination and guidance of the PMO, Hami Municipal Construction Committee will sign the land requisition contract agreement with relative District Land Administration Bureau and Demolition and Resettlement Office, and pay them the total contract amount.

Sign land acquisition and compensation agreement according to the compensation rates set out in the RP, which are consistent with the related laws and regulations of resettlement stipulated by the State, Province, Municipality and agreed by the ADB. The Land Administration Bureau and Demolition and Resettlement Office respectively, consult and negotiate with village committees, APs, shops and enterprises on the aspects of compensation and resettlement. Sub-district offices/Village committees, in turn, consult with households who will be affected. When agreements are reached land acquisition and resettlement agreements are signed instantly by persons requiring resettlement, Municipal Land Administration Bureau and Resettlement Office. The APs will be provided a copy of the agreement they have signed. The Municipal Land Administration Bureau supervises and witnesses the process.

9.2 Activities during Resettlement

204. Concerned Land Administration Bureau will disburse the land compensation fees to the village committee/villagers according to the signed agreement. Villages provide land, through the readjustment of village land distribution. On the premise agreed by 2/3 villagers, villages can use the funds of land acquisition and compensation fees to adjust industrial structure and increase villagers' income. The Demolition and Resettlement Office will provide houses for those affected by dismantled households, or allocate the displacement compensation fees to the affected people.

➤ Land usage permission

Project IA should make efforts in going through the formalities of obtaining land usage permission so as to complete the procedure timely. IA will apply for the land use permission to land administration department level by level. Land acquisition

certificates must be approved prior to payment of compensation and dispossession of land, housing and private assets.

➤ **Facilities displacement and reconstruction**

. The dismantling of facilities and utilities affected by the project will be supervised by the EA. Hami Municipal Construction Committee will disburse compensation fees to the proprietor and the proprietor arranges displacement, restoration and reconstruction of these facilities and utilities.

➤ **Resettlement**

APs can choose cash compensation and build new houses on planned homestead or buy resettlement house offered by village. Whatever self-building or purchasing, great improvements will be made in living conditions.

➤ **Internal and external monitoring and evaluation**

Internal monitoring will be responsibility of the local PIA and they will prepare and submit a monitoring report to the EA every 6 months. External monitoring will be the responsibility of the EA, who will contract this work to an independent consultant and will submit monitoring reports every year to the ADB. The external monitoring targets at the AP's income rehabilitation and maintenance of their livelihood after land acquisition and demolition. In case the targets are not achieved, constraints will be identified.

As affected communities and villages are in the suburb of Hami city, per capita land is getting less along with urbanization of Hami. As a result, there is not much room for agriculture development in these areas. This project offers an opportunity to change employment and the second and third industries are encouraged such as small restaurants, shops, food processing plants. AP would have opportunities to find jobs since the communities/villages keep good relation with these entities and the business is expanded. APs can get new jobs easily with good employment market and some village enterprises.

9.3 Activities after Resettlement

➤ Continue Internal and external monitoring and evaluation

➤ Filing and Documentation

205. When resettlement work is completed, responsible persons will write a resettlement complementation report. Hami Municipal Construction Committee will review and file it.

206. According to the schedule of LA and HD, resettlement schedule is made; implementation time will be adjusted with project schedule. See Table IX-1. Figure IX-1 shows resettlement implementation schedule.

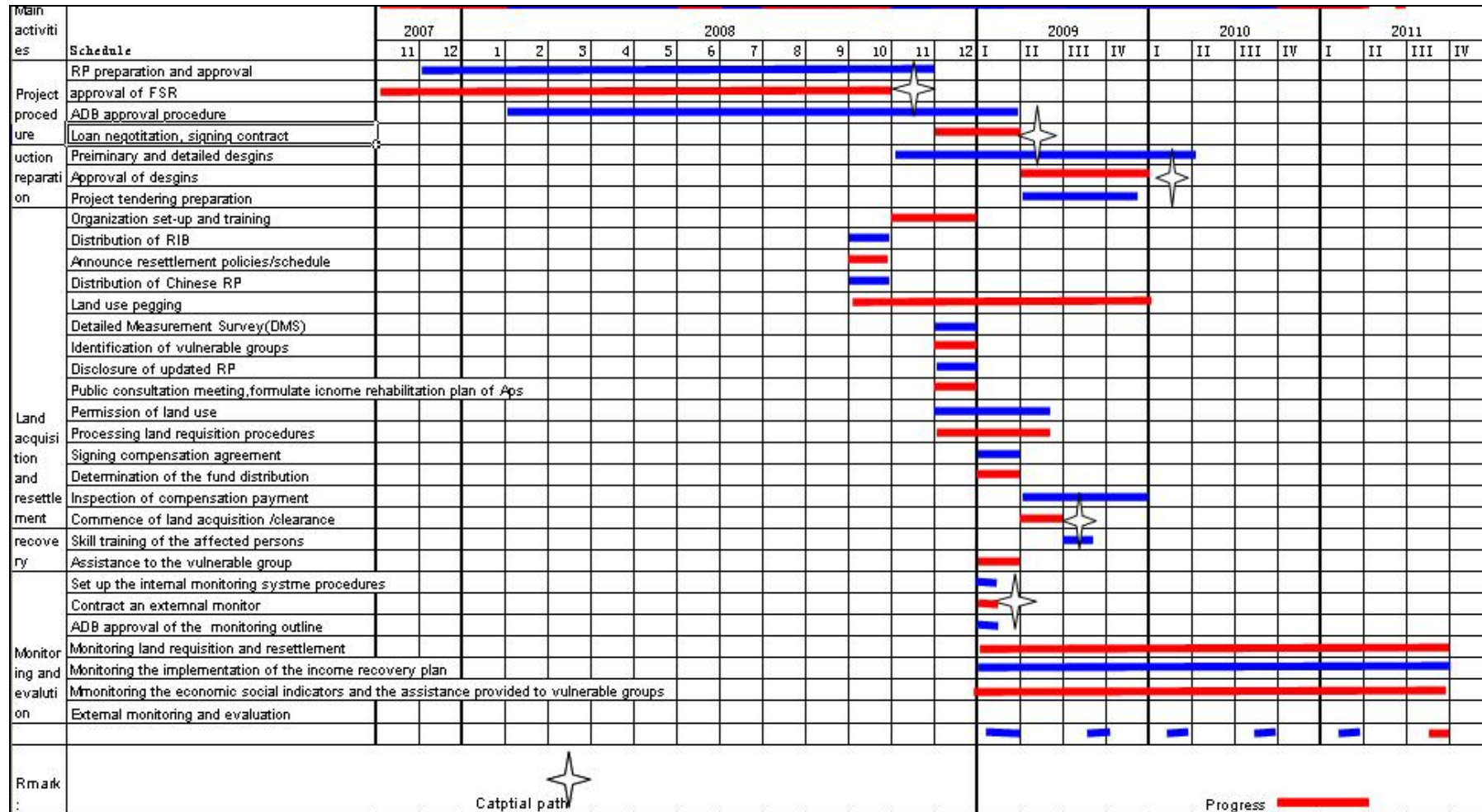
Table IX-1 Resettlement Implementation Schedule

No.	Resettlement Tasks	Target	Responsible Agency	Completion Deadline	Status and Additional Deadlines
1.	Disclosure				
1.1	Information booklet	650 copies	HMCB	June,30,2008	
1.2	Resettlement plan distribution to resettlement offices/villages/APs	8 copies	HMCB	October, 2008	
1.3	RP placed on ADB website		ADB	November ,2008	
2.	Detailed Measurement Survey (DMS)				
2.1	Updated RP based on DMS with assessment on household land and income loss			Dec,2008	
2.2	Updated RP based on DMS Distribution to resettlement offices/villages/APs	12 copies		Dec,2008	
3.	Detailed Rehabilitation Plans				
3.1	Village Rehabilitation Initial Plans(if available)		-	Dec,2008	-
3.2	Village Rehabilitation Plans revision (if available)		-	Dec,2008	-
3.3	Cultivated adjustment agreement (if available)	not available	-	-	-
3.4	Assistance for Vulnerable Groups	13 households	Hami Social Security Bureau/Civil Bureau	April,2009	
3.5	Technical training plan for AF	600 APs	HMPMO	June,2009	
4.	Resettlement Plan and Budget				
4.1	Complete redline survey (map)		HMCB	DEC.2008	

No.	Resettlement Tasks	Target	Responsible Agency	Completion Deadline	Status and Additional Deadlines
4.2	Approval of RP & budget		Hami Municipal Government	October ,2008	
4.3	Approval of compensation rates		Hami Municipal Government	October,2008	
4.4	Staking survey		Hami Municipal Government	November. 2008	
5.	Compensation Agreements				
5.1	CRC/Village agreements	3CRCs and 3 villages	HMCB	Jan,2009	
5.2	Enterprise/shop agreements	4 Enterprise	HMCB	Jan,2009	
5.3	Household agreements	99 HHs	HMCB	Jan,2009	
6.	Implementation Capacity				
6.1	district resettlement staff	10	HMCB	November.2008	
6.2	Designate village representatives	9	HMCB	November.2008	
6.3	Training of staff	10	Renmin Road Sub-district Office	December.2008	
6.4	Setting up grievance redress committees	5 of staff	HMCB	November. 2008	
7.	Monitoring and Evaluation				
7.1	Baseline survey	10% of APs	External Monitor	February.2009	
7.2	Set-up internal supervision	As per RP	HMCB	January. 2009	
7.3	Contract external monitor	As per RP	HMCB	February 2009	
7.4	Internal monitoring reports	Quarterly	IA	January. 2009	
7.5	external monitoring reports	Semi-annual	External Monitor	September. 2011	
7.6	Evaluation reports	Annual	External Monitor	September. 2011	
7.7	Resettlement Completion Report		External Monitor /HMCB	September. 2011	
8.	Documentation of Consultation	As per RP	HMCB	September. 2011	
9.	Documentation of Grievances	As required	HMCB	September. 2011	
10.	Flow of Funds / Compensation		HMCB		
10. 1	Executing or Implementing Agency		HMCB	December.2009	
10. 2	PMO- Resettlement Implementer		HMCB	December.2009	

No.	Resettlement Tasks	Target	Responsible Agency	Completion Deadline	Status and Additional Deadlines
10.3	To affected households	99 households,322 APs			
10.4	To affected enterprises and shops	4 enterprises and shops,128 APs			
11.	Commence Resettlement				
11.1	Land acquisition	72.07 mu,101 APs	HMCB	Jan to April, 2009	
11.2	House removal	20444.64m ² era ,319 APs	HMCB	Jan to April, 2009	
11.3	enterprises and shops removal	4 enterprises with 2580.61 m ² era, 128APs			

Figure IX-1 Resettlement Implementation Schedule



X. MONITORING AND EVALUATION

207. In order to ensure resettlement plan is implemented smoothly and realizes the objectives of the RP, based on the requirements of ADB policies, will be monitored and evaluated regularly. The monitoring consists of two parts: internal monitoring conducted by the resettlement institution and external monitoring by an independent third party.

10.1 Internal Monitoring

10.1.1 Objective

208. The objective of internal monitoring is to ensure the effectiveness and integrity of the resettlement process from preparation to implementation. Monitoring will enable progress to be continuously tracked and measured against expected outcomes and objectives. In this way changes can be made as required to accommodate successful implementation as circumstances dictate. This should prevent things from going off course, and enable smooth implementation.

10.1.2 Institution and Staffing

209. The resettlement internal monitoring agency of this project is CJPMO and other related departments (such as Hami Land Administrative Department). This department will appoint special leaders to take charge of resettlement issues involved in the project. These leaders are knowledgeable and experienced in resettlement, and can efficiently correspond with each department involved in the resettlement process.

10.1.3 Content of Internal Monitoring

210. Xinjiang PMO and CJPMO will prepare a detailed internal monitoring plan for land acquisition and resettlement, the monitoring will include:

- (1) Situation of the house moving, relocation sites and reconstruction etc.
- (2) The situation of payment, utilization and availability of the land acquisition compensation funds, as well as progress and quality of the development projects conducted by the displaced people;

- (3) Investigation, coordination and suggestions for solving the major issues of the IA and resettlement during resettlement implementation;
- (4) Situation of income restoration of the affected households after relocation;
- (5) Situation of rehabilitation of the vulnerable groups;
- (6) Payment, utilization and availability of land acquisition compensation funds;
- (7) Degree of participation and discussion with APs during land acquisition, house demolition and resettlement implementation;
- (8) Technical training and its effectiveness; and
- (9) Working institutions, training, working time and working efficiency of the local resettlement offices.

10.1.4 Internal Monitoring Reporting

211. The Xinjiang PMO shall submit a semi-annual report to the ADB for internal monitoring. Such report shall adopt the present statistical data for the past six months in tabulated format, through comparison of the planned and the actual progress, the progress of land acquisition, resettlement and utilization of compensation. Table X-1 and Table X-2 offer the format.

Table X-I Progress Report on Land Acquisition and Resettlement

Region (County) _____ Town _____					
Cut-off Date: ____/____/____ (d/m/y)					
Date: ____/____/____ (d/m/y)					
Item	Unit	Planned Qty.	Completed Qty.	Accumulated Qty.	% of Completion
Permanent land acquisition	Mu				
Temporary land use	Mu				
Paid land compensation	10000 CNY				
Training accepters					
Employments accepters					
Land adjusted	Mu				
Reporter: _____ Sign (Director): _____ Cachet: _____					

Table X-II Execution Progress on Funds Utilization

Region (County) _____ Town _____					
Cut-off date: ____/____/____ (d/m/y)					
Date: ____/____/____ (d/m/y)					

Affected institutions	description ⁴	unit/amount	Investment Required (¥)	Compensation Received (¥)	Compensation Adjusted	Compensation rate
Village 1						
Village 2						
Collective households of resettlement						
Units						
Reporter: Sign (Director): Cachet:						

10.2 External Monitoring

212. According to the requirement of ADB policies, Xinjiang PMO will employ an independent and qualified institution which has relevant experience in ADB-financed project monitoring as the independent monitoring agent for resettlement.

213. The external monitoring and evaluation institution shall undertake regular monitoring and evaluation of the resettlement implementation activities and provide necessary consultative proposals on aspects of resettlement progress, quality and funds. In addition, the production and living standards of the APs shall be also monitored. Monitoring reports shall be submitted to Xinjiang PMO and ADB. The terms of reference for external monitoring and evaluation are shown in Appendix 4.

10.2.1 Content and Methods of External Monitoring

(1) Baseline survey

214. The external monitoring agency shall conduct the required baseline survey, from which, the baseline information of the production and livelihood levels of the APs shall be acquired. The investigation of production and living levels shall be conducted on a semi-annual basis to follow up the changes of the displaced people in this connection. This is to adopt the methods of typical sample follow-up survey (random samplings: 20% for households affected by land acquisition and house demolition; 50% for affected villages; 50% for affected small shops), casual interviewing and site visits etc. to acquire necessary relevant information. Accordingly, a statistical analysis shall be made on this basis to evaluate progress and quality.

(2) Regular monitoring evaluation

215. The external monitoring agency shall, during the implementation of the

⁴ "Description" blank should be filled with labor training, employment or vulnerable group subsidy.

resettlement plan, conduct regular follow-up monitoring of the resettlement twice a year. This will be done through site observation, sample follow-up investigation and casual interviewing of APs. The following activities shall be monitored:

- payment and amount of compensation funds;
- adequacy of preparation of relocation sites;
- housing reconstruction;
- relocation for APs;
- training;
- support for vulnerable groups;
- rehabilitation of infrastructure and special facilities;
- production relocation and rehabilitation;
- compensation for the loss of property;
- compensation for loss of work time;
- transition subsidies
- schedule of above actions;
- resettlement organization;
- usage of collective land acquisition compensation and APs' income conditions
- Increasing condition of labor employment and income.

(3) Public consultation

216. The external monitoring agency will take part in public conferences in the resettlement implementation period. By participating in these conferences, the external monitoring agency will evaluate the public participation effects.

(4) Complaints

217. The external monitoring agency will visit the affected villages periodically; go deep into the resettlement offices of CJPMO, townships and implementation agencies to consult on the outcomes of complaints and their treatment. Meanwhile, the agency may interview the APs who have made complaints and propose measures and suggestions for improvement. In this way the resettlement implementation will become more effective.

10.2.2 External Monitoring Reporting

218. The external monitoring and evaluation agency will submit semi-annual reports to Xinjiang PMO and ADB. Table X-3 shows the schedule of reporting.

Table X-III Reporting Schedule for Resettlement Monitoring and Evaluation

	Resettlement report	Date
1	Socioeconomic baseline survey	2009.2
2	The base line and first stage monitoring report	2009.3
3	The second stage monitoring report	2009.9
4	The third stage monitoring report	2010.3
5	The fourth stage evaluation report	2010.9
6	The fifth stage evaluation report	2011.3
7	The final report	2011.9

10.3 Post Assessment for Resettlement

219. Upon completion of the project, on the basis of the monitoring evaluation, the theory and method of post assessment will be used to review the resettlement activities of this project component. Post assessment will cover the successful experiences and lessons learned in all aspects of land acquisition and house demolition that can be referred to by future resettlement projects. The institution entrusted to conduct the post assessment for this project component must prepare Terms of Reference for post assessment, build up an assessment index system, undertake necessary social and economic analysis and surveys and prepare a Resettlement Post Assessment Report for the Hami Urban Transport and Environmental Sanitation Project that will be submitted to the PMO of Xinjiang and the ADB. In case the assessment reveals that there are outstanding issues related to income restoration measures, especially for the vulnerable population and the ethnic minority households then remedial actions will be implemented by the EA and IA immediately.

Appendix

APPENDIX 1: RELEVANT REGULATIONS

The Relevant Regulations in *Land Administration Law of the People's Republic of China*

Ownership of Land and Rights to the Use of Land

Article 8 Land in the urban areas of the cities is owned by the State.

Land in rural and suburban areas is owned by peasant collectives, except for those portions of land which belong to the State as provided for by law; house sites and private plots of cropland and hilly land are owned by peasant collectives.

Article 10 Land owned by peasant collectives that belong lawfully to peasant collectives of a village shall be operated and managed by collective economic organizations of the village or by villagers committees; land already owned by different peasant collectives that belong to two or more different collective economic organizations in the village shall be operated and managed by the rural collective economic organizations in the village or by villager's groups; land already owned by a peasant collective of a township (town) shall be operated and managed by the rural collective economic organization of the township (town).

Article 11 Land owned by peasant collectives shall be registered with and recorded by people's governments at the county level, which shall, upon verification, issue certificated to confirm the ownership of such land.

Land owned by peasant collectives to be lawfully used for non-agricultural construction shall be registered with and recorded by people's governments at the county's level, which shall, upon verification, issue certificates to confirm the right to the use of land for such construction.

State-owned land to be lawfully used by units or individuals shall be registered with and recorded by people's government at or above the county level, which shall, upon verification, issue certificates to confirm their rights to the rights to the use of such land to be used by central or State organs shall be determined by the State Council.

Ownership or the right to the use of forest land or grassland and the right to the use of

water surfaces or tidal flats for aquaculture shall be confirmed respectively in accordance with the relevant provisions of the Forestry Law, the Grassland Law and the Fisheries Law of the People's Republic of China.

Article 12 Any change to be lawfully made in land ownership, in the right to the use of land or in the purpose of use of land shall be registered.

Article 13 The lawfully registered ownership of land and right to the use of land shall be protected by law and may not be infringed upon by any units or individuals.

Article 14 Land owned by peasant collectives shall be operated under a contract by members of the economic organizations of the peasant collective for crop cultivation, forestry, animal husbandry or fishery. The duration of such contract is 30 years. The party that gives out a contract and the party that undertakes it shall sign a contract in which to stipulate the rights and obligations of both parties. A peasant who undertakes to operate a piece of land under a contract shall have the obligation to protect the land and rationally use it in conformity with the purpose of use provided for in the contract. The rights of a peasant to operate land under a contract shall be protected by law.

Within the duration of the contract for operation of land, any appropriate readjustment of the land between individual contractors shall be made with the agreement of at least two-thirds of the members of the villagers assembly or of the representatives of villagers and the matter shall be submitted to the township (town) people's government and the agriculture administration department of the people's government at the county level for approval.

Overall Plan for Land Utilization

Article 19 Overall plan for land utilization shall be drawn up in accordance with the following principles:

- (1) strictly protecting the capital cultivated and keeping land for agriculture under control lest it shall be occupied and used for non-agricultural construction;
- (2) increasing the land utilization ratio;
- (3) making overall plans for the use of land for different purposes and in different areas;
- (4) protecting and improving ecological environment and guaranteeing the

sustainable use of land; and

- (5) Maintaining balance between the area of cultivated land used for other purposes and the area of land developed and replaced.

Article 22 The area of land to be used for urban construction shall conform to the norm set by State regulations. Attention shall be paid to making full use of the existing land earmarked for construction and using little or no land earmarked for agriculture.

The overall plans of cities and the plans of villages and towns shall be dovetailed with the overall plan for land utilization, and the area of land to be used for construction fixed in the former shall not exceed the area fixed in the latter for the cities, villages and towns.

Article 24 People's governments at all levels shall exercise close supervision over the plans for land utilization and keep control over the total area of land to be used for construction.

Article 26 Any revision of an approved over all plans for land utilization shall be subject to approval by the organ that originally approved the plan; without such approval, no change may be made in the purposes of land use as defined in the overall plan for land utilization.

Where a change needs to be made in an overall plan for land utilization to meet the demand for land for the construction of such large infrastructure projects as energy, communications or water conservancy projects that have been approved by the State Council, it shall be made in accordance with the document of approval issued by the State Council.

Protection of Cultivated Land

Article 31 The State protects cultivated land and strictly restricts conversion of cultivated land to non-cultivated land.

The State applies the system of compensation for use of cultivated land for other purposes. The principle of "reclaiming the same area of land as is used" shall be applied to any unit that, with approval, uses cultivated land for construction of non-agricultural projects, that is, the unit shall be responsible for reclaiming the same area and quality of the cultivated land it uses. If conditions for such reclamation do not exist

or if the reclamation in accordance with the regulations set by people's governments of provinces, autonomous regions and municipalities directly under the Central Government, and the money shall exclusively be used for reclamation.

Article 32 Local people's governments at or above the county level may require the units that wish to use cultivated land to move the cultivated layer of cultivated land to the reclaimed land or to land of inferior quality, or to other cultivated land for improving soil.

Article 33 People's governments of provinces, autonomous regions and municipalities directly under the Central Government shall strictly implement the overall plans and yearly plans for land utilization and take measures to ensure that the total area of cultivated land within their administrative regions remains unreduced. Where the total area of cultivated land is reduced, the State Council shall order the government concerned to reclaim land, within a time limit, of the same quality and area as is reduced, and the land administration department together with the agriculture administration department under the State Council shall inspect the land reclaimed before acceptance. Where individual governments of provinces or municipalities directly under the Central Government, for lack of land reserves, cannot reclaim enough land to make up for the cultivated land they used for additional construction projects, they shall apply to the State Council for approval of their reclaiming less or no land within their own administrative regions and of their reclaiming land in other regions.

Article 36 In non-agricultural construction, attention shall be paid to economizing on the use of land. Where wasteland can be used, no cultivated land may be used; where land of inferior quality can be used, no land of superior quality may be used.

Article 41 The State encourages land revitalization. County and township (town) people's governments shall make arrangements for rural collective economic organizations to conduct, in accordance with overall plans for land utilization, all-round improvement of the fields, water conservancy, roads and forests and development of the villages in order to improve the quality of the cultivated land, increase the efficient area of cultivated land and better the conditions of agricultural production and the ecological environment.

Local people's governments at all levels shall take measures to transform the medium and low-yield fields and improve idle and waste land.

Article 42 Land users that cause damage to land as a result of digging, subsiding or

crumbling under heavy weight shall be responsible for recultivating the land in accordance with the relevant regulations of the State. Where conditions do not permit such recultivation or the land recultivated does not meet the requirements, the user shall pay charges for recultivation, which shall exclusively be used for the purpose. The land recultivated shall first be used for agriculture.

Land to Be Used for Construction

Article 43 All units and individuals that need land for construction purposes shall, in accordance with law, apply for the use of State-owned land, with the exception of the collective economic organizations and peasants of such organizations that have lawfully obtained approval of using the land owned by peasant collectives of these organizations to build township or town enterprises or to build houses for villagers and the units and individuals that have lawfully obtained approval of using the land owned by peasant collectives to build public utilities or public welfare undertakings of a township (town) or village.

“The State-owned land” mentioned in the preceding paragraph includes land owned by the State and land originally owned by peasant collectives but expropriated by the State.

Article 44 Where land for agriculture is to be used for construction purposes, the formalities of examination and approval shall be gone through for the conversion of use.

Where land for agriculture is to be converted to land for the construction of road, pipeline or large infrastructure projects, for which approval has been obtained from people's governments of provinces, autonomous regions and municipalities directly under the Central Government, or for the construction of projects for which approval has been obtained from the State Council, the conversion shall be subject to approval by the State Council.

Where land for agriculture is to be converted to land for construction of projects in order to carry out the overall plan for land utilization within the limits of the area of land fixed in the plan for construction projects of cities, villages or towns, the conversion of use of land shall, in accordance with the yearly plan for land utilization, be subject to approval in batches by the organ that originally approved the overall plan for land utilization. Land to be used for construction of specific projects within the limits of the area of land for agriculture, conversion of the use of which has been approved, may be subject to approval by people's governments of cities or counties.

Where land for agriculture is to be converted to land for construction projects other than what is provided for in the second and third paragraphs of this Article the conversion shall be subject to approval by people's governments of provinces, autonomous regions and municipalities directly under the Central Government.

Article 45 Expropriation of the following land shall be subject to approval by the State Council:

(1) Capital cultivated;

(2) Cultivated land, not included in capital cultivated, that exceeds 35 hectares;

Expropriation of land other than that provided for in the preceding paragraph shall be subject to approval by the people's governments of provinces, autonomous regions and municipalities directly under the Central Government and be submitted to the State Council for the record.

Land for agriculture shall be expropriated after conversion of use of the land is examined and approved in accordance with the precisions in Article 44 of this law. Where conversion of use of such land is subject to approval by the State Council, acquisition of the land shall be examined and approved at the same time, and there is no need to go through the formalities of examination and approval for the acquisition separately. Where conversion of use of land is subject to approval by people's governments of provinces, autonomous regions and municipalities directly under the Central government within the limits of their approval authority over the acquisition of land, expropriation of the land shall be examined and approved at the same time, and there is no need to go through the formalities of examination and approval for the expropriation separately; if the land to be expropriated is beyond the limits of their approval authority, it shall be examined and approved separately in accordance with the provisions of the first paragraph in this Article.

Article 46 Where land is to be expropriated by the State, the expropriation shall, after approval is obtained through legal procedure, be announced by people's governments at or above the county level, which shall help execute the acquisition.

Units and individuals that own or have the right to the use of the land under expropriation shall, within the time limit fixed in the announcement, register for compensation with the land administration department of the local people's government

by presenting their certificates of land ownership or land-use right.

Article 47 Land expropriated shall be compensated for on the basis of its original purpose of use.

Compensation for expropriated cultivated land shall include compensation for land, resettlement subsidies and compensation for attachments and young crops on the acquisitioned land. Compensation for expropriated cultivated land shall be six to ten times the average yearly output value of the expropriated land, calculated on the basis of three years preceding such acquisition. Resettlement subsidies for expropriated cultivated land shall be calculated according to the agricultural population needing to be resettled. The agricultural population needing to be resettled shall be calculated by dividing the area of expropriated cultivated land by the average area of the original cultivated land per person of the unit the land of which is expropriated. The standard resettlement subsidies to be divided among members of the agricultural population needing resettlement shall be four to six times the average yearly output value of the expropriated cultivated land calculated on the basis of three years preceding such expropriation. However, the maximum resettlement subsidies for each hectare of the expropriated cultivated land shall not exceed fifteen times its average yearly output value calculated on the basis of three years preceding such expropriation.

Rates of land compensation and resettlement subsidies for expropriation of other types of land shall be prescribed by provinces, autonomous regions and municipalities directly under the Central Government with reference to the rates of compensation and resettlement subsidies for expropriation of cultivated land.

Rates of land compensation and resettlement subsidies for expropriation of other types of land shall be prescribed by provinces, autonomous regions and municipalities directly under the Central Government with reference to the rates of compensation and resettlement subsidies for expropriation of cultivated land.

For expropriation of vegetable plots in city suburbs, the land users shall pay towards a development and construction fund for new vegetable plots in accordance with the relevant regulations of the State.

If land compensation and resettlement subsidies paid in accordance with the provisions of the second paragraph in this Article are still insufficient to enable the peasants needing resettlement to maintain their original living standards, the resettlement

subsidies may be increased upon approval by people's governments of provinces, autonomous regions and municipalities directly under the Central Government. However, the total land compensation and resettlement subsidies shall not exceed 30 times the average yearly output value of the expropriated land calculated on the basis of three years preceding such expropriation.

The State Council may, in light of the level of social and economic development and under special circumstances, raise the rates of land compensation and resettlement subsidies for expropriation of cultivated land.

Article 48 Once a plan for compensation and resettlement subsidies for acquisitioned land is decided on, the local people's government concerned shall make it known to the general public and solicit comments and suggestions from the collective economic organizations, the land of which is acquisitioned, and the peasants.

Article 49 The rural collective economic organization, the land of which is expropriated, shall accept supervision by making known to its members the income and expenses of the compensation received for land expropriation.

The compensation and other charges paid to the unit for its land expropriated is forbidden to be embezzled or misappropriated.

Article 50 Local people's governments at all levels shall support the rural collective economic organizations, the land of which is acquisitioned, and the peasants in their efforts to engage in development or business operation or to start enterprises.

Article 51 The rate of compensation for expropriation of land to build large or medium-sized water conservancy or hydroelectric projects and the measures for resettling relocated people shall be prescribed separately by the State Council.

Article 52 During the feasibility study of a construction project, land administration department may, in accordance with the overall plan for land utilization, the yearly plan for land utilization and the standard area of land for the use of construction, examine the matters related to land for construction and offer its comments and suggestions.

Article 53 Where a construction unit needs to use State-owned land for construction of an approved project, it shall apply to the land administration department of the people's government at or above the county level that has the approval authority by presenting the relevant documents as required by laws and regulations. The said department shall

examine the application before submitting it to the said people's government for approval.

Article 54 A construction unit that wishes to use State-owned land shall get it by such means of compensation as assignment. However, land to be used for the following purposes may be allocated with the lawful approval of a people's government at or above the county level:

- (1) For state organs or military purposes;
- (2) For urban infrastructure projects or public welfare undertakings;
- (3) For major energy, communications, water conservancy and other infrastructure projects supported by the State; and
- (4) Other purposes as provided for by laws or administrative regulations.

Article 55 A construction unit that obtains right to the use of State-owned land by such means of compensation as assignment shall, in accordance with the rates and measures prescribed by the State Council, pay, among other charges, compensation for use of land such as charges for the assignment of land-use right, before it can use the land.

Beginning from the date of implementation of this Law, 30 percent of the compensation paid for the use of additional land for construction shall go to the Central Government and 70 percent to the local people's governments concerned, both of which shall exclusively be used for developing cultivated land.

Article 56 A construction unit that uses State-owned land shall do so in agreement with the stipulations of the contract governing compensation for the use of land such as the assignment of the land-use right or with the provisions in the documents of approval for allocation of the land-use right. Where it is definitely necessary to change the purposes of construction on this land, the matter shall be subject to agreement by the land administration department of the people's government that originally approved the use of land. Where the land the purposes of use of which need to be changed is located in the area under city planning, the matter shall be subject to agreement by the city planning administration department concerned before it is submitted for approval.

Article 57 Where land owned by the State or by peasant collectives needs to be used

temporarily for construction of projects or for geologic prospecting, the matter shall be subject to approval by the land administration department of a people's government at or above the county level. However, if the land to be temporarily used is located in the area covered by city planning, the matter shall be subject to agreement by the city planning administration department concerned before it is submitted for approval. The land user shall, depending on who owns the land and who has the land-use right, enter into a contract for the temporary use of the land with the land administration department concerned, or the rural collective economic organization, or the villagers committee, and pay compensation for it in accordance with the provisions of the contract.

The temporary land user shall use the land for purposes stipulated in the contract for temporary use of the land and may not build permanent structures on it.

Generally, the period for temporary use of land shall not exceed two years.

Article 58 Under any of the following circumstances, the land administration department of the people's government concerned may, with the approval of the people's government that has originally approved the use of land or that possesses the approval authority, take back the right to the use of the state-owned land;

- (1) The land is needed for the benefits of the public;
- (2) The use of the land needs to be readjusted for renovating the old urban area according to city planning;
- (3) At the expiration of the period stipulated in the contract for use of the land by such means of compensation as land assignment, the land user has not applied for extending the period or, if he has, the application is not approved;
- (4) The use of the originally allocated State-owned land is terminated because, among other things, the unit that uses the land is dissolved or moved away; or
- (5) The highways, railways, airports or ore fields are abandoned with approval.

The user granted with the land-use right shall be compensated appropriately when its right to the use of State-owned land is taken back according to the provisions of subparagraphs (1) and (2) in the preceding paragraph.

Article 61 Where land is to be used for the construction of township (town) or village

public utilities or public welfare undertakings, the matter shall be subject to examination and verification by the township (town) people's government, which shall submit an application to the land administration department of the local people's government at or above the county level for approval by the said people's government within the limits of its approval authority as defined by the province, autonomous region or municipality directly under the Central Government. However, if land or agriculture is to be used for the purpose, the matter shall be subject to examination and approval in accordance with the provisions in Article 44 of this Law.

Article 62 For villagers, one household shall only have one house site, the area of which may not exceed the limits fixed by provinces, autonomous regions and municipalities directly under the Central Government.

Villagers shall build residences in keeping with the township (town) overall plan for land utilization and shall be encouraged to use their original house sites or idle lots in the village as much as possible.

Land to be used by villagers to build residences shall be subject to examination and verification by the township (town) people's government and approval by the county people's government. However, if land for agriculture is to be used for the purpose, the matter shall be subject to examination and approval in accordance with the provisions in Article 44 of this Law.

Applications for other house sites made by villagers who have sold or least their houses shall not be approved.

Article 63 No right to the use of land owned by peasant collectives may be assigned, transferred or least for non-agricultural construction, with the exception of enterprises that have lawfully obtained land for construction in conformity with the overall plan for land utilization but have to transfer, according to law, their land-use right because of bankruptcy or merging or for other reasons.

Article 64 No buildings or structures built before the overall plan for land utilization is drawn up and at variance with the purposes defined in such a plan may be rebuilt or expanded.

Article 65 Under any of the following circumstances, a rural collective economic organization may, with the approval of the people's government that originally approved

the use of land, take back the land-use right:

- (1) The land is needed for constructing township (town) or village public utilities or public welfare undertakings;
- (2) The land is used at variance with the approved purposes; or
- (3) The use of land is terminated because, among other things, the unit concerned is dissolved or moved away,

The user granted with the land-use right shall be compensated appropriately when the land owner by the peasant collective is taken back according to the provisions of sub-paragraph (1) of the preceding paragraph in this Article.

The relevant regulations in *Regulations on Administration of the Housing Demolition and Relocation in Cities*

Article 6 The unit carrying out house demolition and relocation shall not carry out the work of any demolition and relocation until it has acquired the permit for housing demolition and relocation.

Article 8 At the time of issuing the permit for housing demolition and relocation, the administrative department of housing demolition and relocation shall publish, in the form of an announcement of housing demolition and relocation, the items such as the demolisher, the scope of demolition and relocation and the time limit for demolition and relocation, as specified in the permit for housing demolition and relocation.

The administrative department of housing demolition and relocation and the demolisher shall do a good job in making prompt publicity and explanation to the relocatees.

Article 22 The demolisher shall, as provided in these Regulations, compensate the relocatee.

No compensation shall be given for any unlicensed construction or temporary construction to be demolished beyond the approved time limit, while appropriate compensation shall be given for temporary construction to be demolished within the approved time limit.

Article 23 Compensation for demolition and relocation may be given by the means of money or exchange of property right to the house.

Except as provided in Paragraph 2 of Article 25 and Paragraph 2 of Article 27 of these Regulations, the relocatee may choose the means of compensation for demolition and relocation.

Article 24 The amount of compensation given in the means of money shall be determined at the valuation price in the real estate market on the basis of the factors such as the location, usage, and building area of the house to be demolished. The specific measures thereof are to be made by the people's governments of provinces, autonomous regions or municipalities directly under the Central Government.

Article 25 Where the property right to the house is to be exchanged, the demolisher and the relocatee shall, as provided in Article 24 of these Regulations, calculate the amount of compensation for the demolished house and the price of the house to be exchanged, and shall settle up the price difference in the exchange of property right.

Where the accessories of a non-public-service house are to be demolished, no property right may be exchanged, and the demolisher shall give compensation by the means of money.

Article 26 Where a public-service house is to be demolished, the demolisher shall, as provided in pertinent laws and regulations and as required in the city planning, rebuild another one or give compensation in the means of money.

Article 27 Where a leased house is to be demolished and the relocatee terminates the lease relation with the lessee of the house, or resettle the lessee, the demolisher shall give compensation to the relocatee.

Where the relocatee and the lessee of the house fail to reach an agreement on the termination of the lease relation, the demolisher shall have the property right to the house exchanged for the relocatee. The house to which the property right is exchanged shall be leased by the original lessee of the house, and the relocatee and the original lessee of the house shall conclude a new contract for house-leasing.

Article 28 Houses provided by the demolisher for resettlement shall meet the standards of the State for quality and safety.

Article 29 Where a house to which the property right is not clear shall be demolished, the demolisher shall make a plan for compensation and resettlement, and the demolition and relocation may be conducted only after the plan has been examined and approved by the administrative department of housing demolition and relocation. Before the demolition and relocation, the demolisher shall undergo evidence-preservation with a notary institution with regard to the relevant matters of the house to be demolished.

Article 30 The demolition of a mortgaged house shall be conducted in compliance with the laws of the State on guaranty.

Article 31 The demolisher shall give subsidies for removal to the relocatee or the lessee of the house.

During the time limit for transition, where the relocatee or the lessee of the house arranges the lodging by himself, the demolisher shall give subsidies for temporary resettlement; where the relocatee or the lessee of the house lives in the house for transitional use provided by the demolisher, it is not necessary for the demolisher to give subsidies for temporary resettlement.

The rates of subsidies for removal and temporary resettlement shall be determined by the people's governments of provinces, autonomous regions or municipalities directly under the Central Government.

Article 32 The demolisher shall not extend the time limit for transition without authorization. The occupier of the house for transitional use shall have it vacated and returned on time.

Where the time limit for transition is extended due to the responsibility of the demolisher, an increase shall be made, starting from the month in which the time limit expires, to the subsidies for temporary resettlement given to the relocatee or the lessee of the house who arranges the lodging by himself; and the subsidies for temporary resettlement shall be given to the occupier of the house for transitional use starting from the month in which the time limit expires.

Article 33 Where the demolition of a houses which is not used as a dwelling house leads to suspension of production or business, the demolisher shall give due compensation.

Procedures of Xinjiang Uygur Autonomous Region on the Implementation of the Land Administration Law of the People's Republic of China

Chapter One General Provisions

Article 2 All activities of land protection, exploitation, utilization, and supervision and management, shall comply with this Law.

Article 6 The State introduces the system of compensated use of land owned by the State. No unit or individual is allowed to occupy trade or illegally transfer land by other means.

The people's governments at all levels should manage to make an overall plan for the use of land to strictly administer, protect and develop land resources and stop any illegal occupation of land.

Chapter Two Ownership and Right of Use of Land

Article 8 The owners and users of Land owned by the State and land collectively owned, must file an application with land administrative department of the people's government at and above the county level, and receive

Chapter Four Protection of Cultivated Land and Reclamation of Land

Article 20 The autonomous region fosters the system of compensations to cultivated land to be occupied. Occupying cultivated land for non-agricultural construction, should be responsible for reclaiming or the land treatment compensated the same amount of land in the same quality as that occupied; Whereas units which occupy the cultivated land are not available with conditions of reclamation of land, should pay land reclamation fees according to the level of reclaiming land as the standard of 15000-45000 CNY per hectare, for cultivation the land reclaimed.

Article 21 With the approval of acquisition the basic cultivated, according to law, should pay 1.5 times the cultivated land reclamation fees

Article 25 The acquisition of the following land is forbidden:

- 1) forbidden reclamation areas defined in the general plan for the utilization of the land
- 2) natural grassland, artificial lawn, fenced meadows and high quality pasture
- 3) forest land and beaches of rivers and lakes

- 4) desert in the front of sand and hillsides with a slope of over 25 degrees
- 5) disputed area of owners of land

Chapter Five Land for Construction Purposes

Article 31 Whereas occupation of State land for construction purposes involves the conversion of agricultural land into land for construction purposes, the examination and approval procedures in this regard shall be required.

- 1) Whereas occupying of land owned by peasant and herdsmen collectives for villages and market towns, construction of township enterprises, public facilities and public welfare, rural roads, water conservancy undertakings of infrastructure construction and townships (towns) and rural villagers' houses, within the amount of land used for construction purposes as defined in the general plans for cities, shall be approved by the people's governments of autonomous regions, municipalities within the controlled targets setting in the general plans for land use.
- 2) Whereas agricultural land is converted into construction purposes as part of the efforts to implement the general plans for the utilization of land within the amount of land used for construction purposes as defined in the general plans for cities, villages and market towns, land for construction has to be approved by the people's governments of autonomous regions. Whereas laws and regulations approved by State Council shall be followed.

Article 35 For acquisition of land by the State construction, compensation for the land should be made according to the following standards:

- 1) In acquisitioning basic cultivated, the land compensation fees shall be 8-10 times the local yearly output value of the cultivated land;
- 2) In acquisitioning paddy field and fishponds outside the basic cultivated, the land compensation fees shall be 7-9 times the local yearly output value of the cultivated land;
- 3) In acquisitioning dry land outside the basic cultivated, the land compensation fees shall be 7-8 times the local yearly output value of the cultivated land;

- 4) In acquisitioning forest land, artificial meadow, house plot, rural roads and threshing floors, the land compensation fees shall be 6-7 times the local yearly output value of the cultivated land;

In acquisitioning natural meadow, the land compensation fees shall be 6 times the local yearly output value of the cultivated land;

In acquisitioning land in the provisions of 1, 2,3 and 4 of the preceding paragraph, for large key construction projects such as communications and water conservancy, approved by the State and the autonomous region, its compensation fees shall be 6 times the local yearly output value of the cultivated land;

The output value of all kinds of cultivated land and meadow shall be calculated by that of the three years preceding the acquisition of the cultivated land, regularly announced by the people's government of the autonomous region

Article 36 The standards for compensating for ground attachments and green crops on the land acquisitioned are as follows:

Compensation fees for green crops of common crops shall be its average yearly output value of the latest three years, compensation fees for green crops of perennial root crops shall be 2-3 times its average yearly output value of the latest three years;

Buildings, structures, other installations and forest trees on the land acquisitioned, according to the actual loss, should be compensated according to the relevant provisions;

If Graves on the land acquisitioned need be removed, the local people's governments shall make an announcement of transfer within a time limit, and pay the transfer fee according to the relevant provisions; if beyond the time limit and graves without an owner, the local people's government shall organize departments concerned to transfer instead.

Article 37 The rates of resettlement fee shall be paid in accordance with the standard of the provisions of paragraph 2 of Article 47 of the Land Management Law. The per-capita land occupied of the unit is less than 0.1 hectare before land acquisitioned; the resettlement fees may be increased properly. But the combined total of land

compensation fees and resettlement fees shall not exceed 30 times the average output value of the three years prior to the acquisition.

In acquisitioning fishponds, the resettlement fee shall be made by comparison with the standard of adjacent cultivated land. In acquisitioning forest land and meadow, the resettlement fee shall be calculated by comparison with the standard of adjacent cultivated land. In acquisitioning house plot, rural roads and threshing floors, was no the resettlement fee.

Article 39 In acquisitioning land of rural collective economic organizations, the land compensation fees shall be owned by rural collective economic organizations; compensation for attachments to or green crops on the land shall be owned by the owner of attachments to or green crops.

Rural collective economic organizations shall make public to its members the receipts and expenditures of the land compensation fees for land acquisitioned and accept their supervision. It is forbidden to embezzle or divert the land compensation fees and other related expenses.

Article 40 The number of agricultural population to be resettled by rural collective economic organizations, the resettlement fee shall be paid to rural collective economic organizations, and be legally managed and used by rural collective economic organizations; if resettled by other unit, the resettlement fee shall be paid to the resettlement unit; there is no need for a unify arrangement, the resettlement fee shall be paid to individuals or used for their insurance costs payment after their approval. The resettlement fee shall be used exclusively for its designated purpose and shall not be used for any other purpose.

People's government of cities, counties and townships (towns) shall strengthen their supervision of the situation in connection with the use of the resettlement fee.

Article 46 The area of the house plot shall be performed as the following standards (per-capita land occupied for a county):

- 1) with the per-capita cultivated land being below 0.04 hectare, the maximum of each household living area is 200 square meters;
- 2) with the per-capita cultivated land being above 0.04 hectare but below 0.07 hectare, the maximum of each household living area is 300 square meters;

- 3) with the per-capita cultivated land being above 0.07 hectare but below 0.1 hectare, the maximum of each household living area is 400 square meters;
- 4) with the per-capita cultivated land being above 0.1 hectare but below 0.14 hectare, the maximum of each household living area is 500 square meters;
- 5) with the per-capita cultivated land being above 0.14 hectare but below 0.34 hectare, the maximum of each household living area is 600 square meters;
- 6) with the per-capita cultivated land being above 0.34 hectare but below 0.07 hectare, the maximum of each household living area is 800 square meters;
- 7) The use of unused land for building houses, the standard of the area of house plot shall be appropriately relax, but the maximum shall not exceed once the standard of preceding paragraph.

Relevant rules in Document [Xinjijiafang (2001) 500] by Development and Planning Committee and Finance Department, Xinjiang Uygur Autonomous Region

Compensations Rates of Cultivated Land

Table 1.1

Unit: CNY/mu

Category	The first level (superior cultivated)	The second level (medium cultivated)	The third level (inferior cultivated)
Compensation rates	1200	640	480
explanation	1. The rates of this Table is fit for cultivated land growing food crop 2. The yearly output value of the cultivated land growing special crop, vegetable fields and Orchard should be higher than that of the first-level cultivated land; the maximum of cotton fields, Orchard land, vegetable land and grape land shall not respectively exceed 1.5 times, 2 times, 3 times and 4 times of it . Other economic crops are estimated by their actual yearly output value.		

Compensations Rates of Meadow

Table1. 2

Unit: CNY/mu

level compensation rates Rank	First superior	Second medium	Third inferior
1	328	262	120
2	262	148	88
3	136	96	63
4	80	69	50

Rates of Resettlement Fee

Table1. 3

the per-capita area of cultivated land (mu)	times of the average output value of three years
---	--

Above 3.5 mu	IV-----5
3.0-----3.5	VI-----7
2.V-----3.0	VIII-----9
2.0-----2.5	X-----12
1.V-----2.0	1III-----15
1.0-----1.5	1VI-----18
0.V-----1.0	1IX-----20

Compensation Rates of Arbor and Cash Trees

Table 1.4

Items Types of Trees	specification of trees (diameter, cm)	compensation rates (CNY)
broad-leaf forest	below 5 cm	10—15
	V-15 cm	15—25
	1V-30 cm	25—35
	above 30 cm	45
Conifer	below 5 cm	20—30
	V-15 cm	30—50
	1V-30 cm	50—70
	above 30 cm	90
fruit trees	below 5 cm	20—40
	V-15 cm	40—60
	1V-30 cm	60—100
	above 30 cm	120
Grape	no fruit below 3 years	30—70
	with fruit above 3 years	70—110

Remark: the standards for trees compensation in protection zones raise 50% according to this rate.

APPENDIX2 RESETTLEMENT INFORMATION BOOKLET (RIB)

_____(Name of APs)

In order to reduce traffic congestion and improve road safety, Hami Municipal Government (HMMG) the Executing Agency (EA) intends to utilize part of the Asia Development Bank (ADB) loan to launch urban roads and municipal services project in the Hami city, which is one of component in Xinjiang Urban Transport and Environmental Improvement projects.

The project will affect the location of your family (unit) to some extent. The booklet is distributed to inform you on the basic status of the sub-component of the Project, relevant land acquisition and relocation policies of the state and the impacts on your household.

This Project is to be implemented by Hami Urban Investment and Development Co., Ltd. (HUIDC) as the implementing agency (IA). This component involves the construction of 9.02 km of urban roads together with ancillary works including environment and sanitation facilities. The roads are Renmin road, West Bayi road, East Bayi Road and their environmental sanitation.

The land acquisition of this project will affect 1 sub-district, 3 CRCs and 3 villages of Hami City, respectively these are Xihe Sub-district, Bin he Road CRC, North Zhongshan Road CRC and South Zhongshan Road CRC, Da Yingmen Village, Village, Xicaiyuan Village and Beicaiyuan Village. Land acquisition and house demolition will affect 103 households and 450 people, including 230 minorities. 4 enterprises 128 persons. 24.07 mu stated land and 72.07 mu collective land will be occupied permanently.

1) compensation standard

The compensation rates of land acquisition and resettlement are determined on the basis of sufficient surveys, with reference to involuntary resettlement principle of Asian Development Bank, state laws and regulations and Xinjiang Autonomous Region and Hami by-laws and aimed to restore and improve living standard of affected persons in short period after resettlement.

The compensation rates applied to the Hami City Roads and Environmental Sanitation Component include collective land compensation standard, stated land compensation standard, house demolition compensation standard (rural house, shops and enterprises houses), and attachment compensation standard. And other charges and taxes see Table2.1-2.9. (To be filled in based on different components by IA based on RP, particularly the entitlement matrix and budget table).

Table2.1 Compensation Standards for Collective Land Acquisition

Type	Annual Output Value (CNY/mu)	Multipliers of Compensation (Time)			Compensation rates (CNY/mu)			
		Land	Resettlement subsidy	Young crops	Land	Resettlement subsidy	Young crops	Total
Cultivated land	1200	10	20	2	12000	24000	12000	48000
Vegetable plot	3600	10	20	-	36000	72000	15000	123000
Orchard land	3600	10	20	-	36000	72000	15000	123000
Forest land	1200	7	20	0	8400	24000	0	32400
Homestead	1200	7		0	12000	0	0	12000

Table2.2 Compensation Standards for Stated Land Acquisition

grade	grade one	grade two	grade three	grade four
Business land	762	503	310	188
Residential land	421	284	176	132
Industrial land	283	216	168	125

Table 2.3 Benchmark Land-Price of Roads in the Project

Road	Benchmark Land-price grade	Type
------	----------------------------	------

Renmin Road	284CNY/m ² era grade two	Residential land
	503CNY/m ² era grade two	Business land
	216CNY/m ² era grade two	Industrial land

Table 2.4 Urban House Compensation Standard

Type	Item	Unit	Standard	Remark
Residential house	House compensation			
	Brick-concrete structure	CNY/m ² era	561.6	
	Brick-wood structure	CNY/m ² era	480.84	
	Earth-wood structure	CNY/m ² era	312.6	
	Land compensation			
	Reward fee for state-owned land	CNY/m ² era	284	
Following subsidy will be given to the APs with house demolition:				
Other compensation	movement fee	CNY/household	300-350	
	temporary transition fee (building with two or more storey)	CNY /month/household	350	Transition period starts from the moving-out day and lasts until the moving-back day. Reasonable period is 1 year, if it is more than 1 year, the compensation continues.
	temporary transition fee (single-storey houses)	CNY /m ² era/month	3	Transition period starts from the moving-out day and lasts until the moving-back day. Reasonable period is 1 year, if it is more than 1 year, the compensation continues.
	award fee	CNY/household	10000	Move out within 5 days after signing the agreement.
		CNY/household	5000	Move out within 5-15 days after signing the agreement.
		CNY/household	2000	Move out within 15-20 days after signing the agreement.

Table 2.5 Rural House Compensation Standard

Type	Item	Unit	Standard	Remark
Residential house	House compensation			
	Brick-concrete structure	CNY/m ² era	561.6	
	Brick-wood structure	CNY/m ² era	480.84	
	Earth-wood structure	CNY/m ² era	312.6	
	Land compensation	CNY/m ² era		
	Residential area	CNY/m ² era	38	

Type	Item	Unit	Standard	Remark
Following subsidy will be given to the APs with house demolition:				
Other compensation	moving fee	CNY/household	300-350	
	temporary transition fee	CNY/m ² era/month	3	Transition period starts from the moving-out day and lasts until the moving-back day. Reasonable period is 1 year, if it is more than 1 year, the compensation continues.
	award fee	CNY/household	10000	Move out within 5 days after signing the agreement.
		CNY/household	5000	Move out within 5-15 days after signing the agreement.
		CNY/household	2000	Move out within 15-20 days after signing the agreement.

Table 2.6 Compensation Standard of Demolished Shops

Type	item	unit	standard	remark
Residential houses	house compensation			
	brick-concrete structure	CNY/m ² era	561.6	
	brick-wood structure	CNY/m ² era	480.84	
	earth-wood structure	CNY/m ² era	312.6	
	land compensation	CNY/m ² era		
	reward fee for state-owned land	CNY/m ² era	284	Rural houses taken as shops are not included.
Compensation for business loss	Compensation for business loss			
	brick-concrete structure	CNY/m ² era	280.8	
	brick-wood structure	CNY/m ² era	240.42	
	earth-wood structure	CNY/m ² era	156.3	
Other compensation	moving fee	CNY/household	300-350	
	temporary transition fee	CNY/m ² era/month	3	Transition period starts from the moving-out day and lasts until the moving-back day. Reasonable period is 1 year, if it is more than 1 year, the compensation continues.
	award fee	CNY/household	10000	Move out within 5 days after signing the agreement.
		CNY/household	5000	Move out within 5-15 days after signing the agreement.
		CNY/household	2000	Move out within 15-20 days after signing the agreement.

2) Rights and Obligations of Affected Persons

(1) Rights of affected persons

Get all kinds of deserved compensation in complete conformity with the above compensation rates; reflect opinion and suggestions to municipal government, sub-district offices, community land acquisition and relocation offices or project resettlement offices, district progressively, specific contents of which including base number of compensation quantity, compensation rate, time of compensation payment, site selection for house reconstruction, etc. various resettlement offices must reply to complaints of affected people and problems subordinate resettlement office reflects within 7 days.

Generally there are five channels for grievance redress in Hami City: (i) village committee/ community, (ii) the township/CRC (iii) Hami Labs and Resettlement Offices (iv) the Hami PMO/ government or (v) by taking legal action.

(2) Obligation of affected persons

1. Actively cooperate with implement of state project.
2. New buildings shall not be constructed within the scope of the resettlement survey; otherwise the compensation fund will be canceled.
3. Demolish buildings within the red-line /blue-line (outer limits of road width or river width respectively) scope of project planning.

3) Assistance to Vulnerable Households

Vulnerable households would get non-cash assistance as listed below:

1. Labor assistance. CRC/Village would provide labor assistance in house relocation and reconstruction for those households lack of labor
2. Give them priority in site selection for house reconstruction in the rural area, and provide guidance on relocation
3. Give them priority in preferential policies.

Appendix 3 TOR for External Monitoring and Evaluation

According to ADB's Resettlement Handbook and ADB's Social Analysis Guideline, an independent monitoring and assessment will be made on the resettlement to analyze and compare the change of living level of APs by checking and tracking the progress and fund and management relative to resettlement.

The report that is provided to the ADB, the EA and concerned departments will provide sufficient information and suggestions for reference to the concerned departments to keep them informed on the progress and status of resettlement, so as to assure them that the problems and the proposed solutions for improvements are identified.

2. Tasks for Monitoring and Evaluation

Tasks for M&E are shown below.

Progress of land acquisition and demolition includes:

- Progress of land acquisition;
- Progress of temporary land occupation;
- Affected progress of the project.
- Progress of house demolition and resettlement includes:
- Progress of house demolition and status of compensation;
- Progress of house construction for resettles;
- Progress of removal.
- Progress of funds availability and payment includes:
- Payment of fund allocation;
- Expenditure (budget and factual expenditure).

Monitoring and assessment on living level of AP includes:

- Living level of AP prior resettlement;
- Living level of AP after resettlement;

- Employment of AP prior and after resettlement.

Monitoring on availability of compensation, rehabilitation and reconstruction of public facilities and progress of construction;

AP's participation in the processes of preparation of RP, land acquisition and resettlement and income rehabilitation; Monitoring on the mechanisms and efficiency of grievance procedures; Collection of monitoring data and establishment of a data file; Comparison analysis; Report submission.

3. Technical Procedures

Prepare RP working outline; prepare questions and tables for investigation; prepare the scheme of random sampling; base investigation; set up information management system; supervise survey; establish data files; compare analysis and make assessment; prepare monitoring report; check the completion of monitoring; draw conclusion.

4. Independent Monitoring Agency

An independent monitoring agency will be engaged to take the responsibility of monitoring on the resettlement of the project by PMO or separately by IAs.

The PMO will provide assistance to the external monitoring and evaluation agency, particularly in the aspects of field survey, staffing and logistics.

5. Monitoring and Evaluation Methods

A combined method of field survey, analysis and comprehensive assessment will be undertaken;

An overall and site survey of progress, funds, institution and management and a random sampling survey.

Sampling according to classification. Tracking the samples at 10% of house-demolished households and 10% of households who loss land.

Overall survey including table investigation, meetings, and file review.

Collection of photos, tape records, video records, physical substance except for written documents.

6. Schedule of Monitoring and Assessment

February,2009	Contract an independent evaluator, prepare the working outline;
February,2009	prepare monitoring plan such as outline of survey, tables, establishment of monitoring system, defining assignment, and selection of monitoring samples;
March,2009	Baseline and first survey, submit No. 1 monitoring report;
September. 2009	Second survey, submit No. 2 monitoring report;
March.2010	Third survey, submit No. 3 monitoring report;
September.2010	Fourth survey, submit No.4 monitoring report
March.2011	Fifth survey, submit No.5 monitoring report
September. 2011	Submit final report

APPENDIX 4 SUMMARY OF PUBLIC PARTICIPATION CONFERENCE

Focus Groups Discussion I	
Time	2008-1-21
Place	The Meeting Room in Hami Construction Bureau
Participants	Hami PMO, Hami Land Resources Bureau, Hami Municipal Plan Bureau, the Representative of Aps, staff of LDI
Main contents of the conference	<ul style="list-style-type: none"> ➢ The Hami PMO introduced basic information of the project including road location, and which roads will be upgraded etc. They asked the residential representatives to identify if they can benefit from the road improvement, is it necessary to rebuild these roads, and do they have more suggestions about the road improvement. ➢ Hami Municipal Plan Bureau explained the situation of the road, and answers the questions of residents of representatives. ➢ Discuss the immigration measures of potential impact of resettlement. ➢ The mainly problem on this project in the view of the representatives is the demolition of Dashizi Mosque because the construction of Rinmin Road. Most of the representatives can't accept this issue directly at that moment. They ask for more consultation about this issue. ➢ After this meeting, the PMO organized more than 5 meetings with the representatives of Mosque, Muslim people, Ethnic Religious Affairs Bureau and Islam Religious Institution. At the end, they agreed with the representatives' opinions and changed the design which avoids the demolition of Mosque.
Focus Groups Discussion II	
Time	2008-2-27
Place	The Meeting Room in Xihe Sub-District Office
Participants	Hami PMO, Hami Land Resources Bureau, Xihe Sub-district office, PPTA team, the Representative of APs and staff of LDI.
Main contents of the conference	<p>The main purpose of the conference is to make the people who are affected or benefited by the construction of Renmin Road know the necessity and the content of the construction, to tell them the effect from the project construction and to ask broad comments from the public through the communication and discussion. The main contents are as follows:</p> <ul style="list-style-type: none"> ➢ Local advisor illustrated the importance of the resettlement plan of ADB loan project and analyzed its differences from that of domestic resettlement plan, ➢ Hami land resource bureau presented the way of resettlement compensation in detail, and suggested the cash compensation resettlement through the discussion; ➢ Gave the instructional suggestion of rebuilding or compensation once only for compensation of demolition and acquisition, ➢ Land resource bureau introduced compensation rate of land, the time and procedure of examination and approval of land, and discussed the problem of land policy with local advisor in detail. ➢ Group discussion was conducted dealing with the following aspects: □ Compensation standard; □ forms of compensation, the plan of skill training and the details of resettlement housing; □ the project scope. ➢ The Hami PMO introduced the status of resettlement community including location, scope and infrastructure of the community, construction process of resettlement housing, etc. They definitely pointed out that the compensation will be done according to the relevant laws and regulations of the State. The forms of compensation will be based on the consultation results with the affected people and the compensation will reach the affected households. The compensation standard, forms and coverage will be further made known to the public. ➢ The designers of the Institute gave answers to the above questions in accordance to the Resettlement Plan.
Focus Groups Discussion III	
Time	2008-2-28

Place	The meeting room in Dayingmen village committee
Participants	Hami PMO, Hami Land Resources Bureau, Xihe Sub-district office, PPTA team, the Representative of APs and staff of LDI
Main contents of the conference	<p>The main contents of the meeting is to discuss recovery plan on the affected village level, the main views are as follows:</p> <ul style="list-style-type: none"> ➤ As for housing demolition, APs think that property exchange and cash compensation are both available. ➤ Some APs have significant concern in living in a house with courtyard after demolition because they can build trees, feed sheep and dancing with relatives in the courtyard. But in winter time, they'd like to live in a building with central heating system which they didn't have in the village before. The PMO explained that the villagers who loss part of their land can build house in the planned homestead or buy a new single-storey house with central heating system in resettlement community. If they want to live in building, they can asset for asset the resettlement housing in resettlement community. ➤ Employment training should be pertinent. Young people need not basic technology training but the skills adapting times like computer; elderly people can be provided agriculture modernization training or special position training. ➤ Enterprises should provide five insurances to dispel the worries of APs. ➤ Cultivated basic facilities protection. After some land is occupied remaining land is likely to lose its fertility. It suggested that cultivated basic facilities should be protected. It should be repair if is unavoidable. If it can not be repaired, the left land should be occupied otherwise it will affect planting income in the future.
Focus Groups Discussion of Vulnerable Groups	
Time	2008-2-29
Place	At the home of affected vulnerable group
Participants	Hami PMO,PPTA team, the Representative of APs and staff of LDI
Main contents of the conference	<p>The main purpose of the interview is to get the affected household's view to the resettlement and their opinions about the project. The main contents are as follows:</p> <ul style="list-style-type: none"> ➤ As the project is to improve the living conditions of residents of the projects that can bring more convenient transportation to facilitate travel, the participants support the implementation of the project; ➤ Resettlement will: reasonable compensation should be given by government and also help them in resettlement. ➤ They hope family members can get temporary job thought the construction period and be employed after the project. ➤ Justice and reasonable compensation should be given by government and also help them in living restoration.

APPENDIX 5 IMPACTS OF HOUSE DEMOLITION

Affected village	No	Name of Household	Former house area(m ²)					demolished house area(m ²)					area(mu)
			brick-concrete	Brick-wood	earth-wood	complex	total	brick-concrete	Brick-wood	earth-wood	complex	total	
Bei Cai CNY Village	1	Gao Jian Ying	0	38.77	67.62	169.4	275.79	0	38.77	67.62	169.4	275.79	0.21
	2	M□ zhon□ xi□o	0	89.19	68.9	0	158.09	0	89.19	68.9	0	158.09	0.35
	3	W□n□ y□n jion□	0	0	109.27	14	123.27	0	0	109.27	14	123.27	0.41
	4	Li jin shen□	0	0	147.01	0	147.01	0	0	147.01	0	147.01	0.35
	5	Xi□n□ □ui zhen	0	111.5	109.4	0	220.9	0	111.5	109.4	0	220.9	0.42
Xi Cai CNY Village	6	F□n □en fu	0	0	246	0	246	0	0	246	0	246	0.46
	7	□□o wen ron□	0	28	199.65	0	227.65	0	28	199.65	0	227.65	0.4
	8	Du ji□o e	0	249.1	128.71	0	377.81	0	249.1	128.71	0	377.81	0.72
	9	W□n□ xi□o qu□n	0	83.86	116.37	0	200.23	0	83.86	116.37	0	200.23	0.52
	10	F□n xi□o hu□	0	177.62	174.68	0	352.3	0	177.62	174.68	0	352.3	0.39
	11	Zhen□ yu mei	0	220.75	8.8	13.23	242.78	0	220.75	8.8	13.23	242.78	0.34
Bin He lu Sub-district	12	M□ yu qu□n	0	0	93.51	0	93.51	0	0	93.51	0	93.51	0.24
	13	B□i li□n□ □ui	0	43.5	266.55	0	310.05	0	43.5	266.55	0	310.05	0.61
	14	Y□n□ xue hu	0	0	79.63	0	79.63	0	0	79.63	0	79.63	0.20
	15	Y□n□ zhi li□n□	0	72	150.5	0	222.5	0	72	150.5	0	222.5	0.88
	16	Zh□o □uoqin□	0	0	95.75	0	95.75	0	0	95.75	0	95.75	0.18
	17	M□ ji de	0	0	28.84	0	28.84	0	0	28.84	0	28.84	0.18
	18	D□n xue yi	0	0	228.25	0	228.25	0	0	228.25	0	228.25	1.13
	19	Y□n□ □u□n□ron□	0	0	120	0	120	0	0	120	0	120	0.26
	20	□uo yu f□n□	0	0	63.41	0	63.41	0	0	63.41	0	63.41	0.15
	21	F□n □ui l□n	0	0	82.18	0	82.18	0	0	82.18	0	82.18	0.21

Affected village	No	Name of Household	Former house area(m ²)					demolished house area(m ²)					area(mu)
			brick-concrete	Brick-wood	earth-wood	complex	total	brick-concrete	Brick-wood	earth-wood	complex	total	
	22	Yi sh□ ke ·zu non□	0	0	92.13	0	92.13	0	0	92.13	0	92.13	0.21
	23	Din□ xin ni□n	0	0	85.38	0	85.38	0	0	85.38	0	85.38	0.17
	24	Y□n□ yu l□n	0	0	90.5	0	90.5	0	0	90.5	0	90.5	0.45
Zhong Shan Bei Lu Sub-district	25	H□idon□ sh□n	0	0	262.25	21.5	283.75	0	0	262.25	21.5	283.75	0.45
	26	Li shen□ wen	0	300.8	0	0	300.8	0	300.8	0	0	300.8	0.54
	27	Liu zhi xin	0	10.2	65.64	0	75.84	0	10.2	65.64	0	75.84	0.17
Zhong Shan Nan Lu Sub-district	28	Xun Shu ron□	0	0	66.7	0	66.7	0	0	66.7	0	66.7	0.13
	29	Xun Shu hu□	0	0	41.5	0	41.5	0	0	41.5	0	41.5	0.10
	30	Su pi huo ji□ ·□ bu dou	0	50.22	337.54	0	387.76	0	50.22	337.54	0	387.76	0.73
	31	W□n□ yu zhen	0	0	137.9	0	137.9	0	0	137.9	0	137.9	0.35
	32	Hu qu□n shou	0	0	148.9	7.5	156.4	0	0	148.9	7.5	156.4	0.13
	33	Wu chen□ xi□n□	0	0	124.96	3.75	128.71	0	0	124.96	3.75	128.71	0.23
	34	Tu er xun	0	0	108.71	0	108.71	0	0	108.71	0	108.71	0.23
	35	W□n□ zhon□ f□n□	0	83.95	192.02	45.07	321.04	0	83.95	192.02	45.07	321.04	0.65
	36	M□ shi bin	0	42.28	176.71	17.36	236.35	0	42.28	176.71	17.36	236.35	0.45
	37	Zh□o xiu zhen	12.97	0	192.8	18.7	224.47	12.97	0	192.8	18.7	224.47	0.46
	38	Ye jin min□	260	0	284.12	28.35	572.47	260	0	284.12	28.35	572.47	0.95
	39	Sun qu□n min□	0	74.35	56.22	0	130.57	0	74.35	56.22	0	130.57	0.25
	40	Liu xi□o lon□	0	36	56.5	0	92.5	0	36	56.5	0	92.5	0.18
	41	Din□ zh□n you	169	0	51	0	220	169	0	51	0	220	0.38
	42	Tu er di ·ni y□ zi	0	45.02	56.7	30	131.72	0	45.02	56.7	30	131.72	0.26
	43	Ke li mu ·mo he m□i ti	0	20	160.1	0	180.1	0	20	160.1	0	180.1	0.13
	44	□ bu dou ·re yi mu	0	0	146.02	0	146.02	0	0	146.02	0	146.02	0.07
	45	□i ze zi ·zi ke y□	0	0	158.3	0	158.3	0	0	158.3	0	158.3	0.11

Affected village	No	Name of Household	Former house area(m²)					demolished house area(m²)					area(mu)
			brick-concrete	Brick-wood	earth-wood	complex	total	brick-concrete	Brick-wood	earth-wood	complex	total	
	46	Yi mi ti ·yi bu l yin	0	0	127.05	0	127.05	0	0	127.05	0	127.05	0.26
	47	Cui xiu yin	0	0	94	27	121	0	0	94	27	121	0.31
	48	Ni y zi ·yu su pu	0	24.75	144.41	52.25	221.41	0	24.75	144.41	52.25	221.41	0.42
	49	bu dou re yi mu	0	0	46.02	0	46.02	0	0	46.02	0	46.02	0.07
	50	Yu n chun min	0	175	260	0	435	0	175	260	0	435	0.73
	51	H n qi rui	0	0	102	0	102	0	0	102	0	102	0.20
	52	Sun fu zhon	0	0	92	26	118	0	0	92	26	118	0.19
	53	W n yue tin	0	54.7	78.05	0	132.75	0	54.7	78.05	0	132.75	0.27
	54	Ti n yun l n	0	0	50.1	40	90.1	0	0	50.1	40	90.1	0.16
	55	Ten ou zhi	0	0	141.47	12	153.47	0	0	141.47	12	153.47	0.12
	56	Chen xue ren	0	0	74.7	20	94.7	0	0	74.7	20	94.7	0.18
	57	Li n xue li	0	0	143.9	0	143.9	0	0	143.9	0	143.9	0.12
	58	C o hui pin	0	0	46.2	4.5	50.7	0	0	46.2	4.5	50.7	0.12
	59	u n ui yin	0	0	72.7	0	72.7	0	0	72.7	0	72.7	0.09
	60	Zuo ju n	0	0	60.4	7	67.4	0	0	60.4	7	67.4	0.15
	61	Li xin n n	0	0	80	0	80	0	0	80	0	80	0.15
	62	W n jun chen	0	0	41.7	0	41.7	0	0	41.7	0	41.7	0.09
	63	Ji n yon wen	0	0	23.5	0	23.5	0	0	23.5	0	23.5	0.39
	64	W n shen ui	0	0	45.4	8.58	53.98	0	0	45.4	8.58	53.98	0.11
	65	M wen fen	0	0	214.09	0	214.09	0	0	214.09	0	214.09	0.50
	66	M xiu zhen	0	0	75.74	0	75.74	0	0	75.74	0	75.74	0.19
	67	Mi jin yun	0	107.86	33	20	160.86	0	107.86	33	20	160.86	0.34
	68	Z o er h n yu su pu	0	0	95.75	2.25	98	0	0	95.75	2.25	98	0.21
Da Yingmen	69	k yi l ·suo pi	0	168.7	250.25	0	418.95	0	168.7	250.25	0	418.95	1.69

Affected village	No	Name of Household	Former house area(m ²)					demolished house area(m ²)					area(mu)
			brick-concrete	Brick-wood	earth-wood	complex	total	brick-concrete	Brick-wood	earth-wood	complex	total	
Village	70	M□ wen kui	130.5	206.15	68	0	404.65	130.5	206.15	68	0	404.65	0.9
	71	M□ yu □u□n□	0	308.26	335.29	0	643.55	0	308.26	335.29	0	643.55	1.03
	72	M□ mu ti ·wu si m□n	0	61.2	405.3	0	466.5	0	61.2	405.3	0	466.5	0.95
	73	Mo he m□i ti ·□ bu dou re yi mu	0	0	230.5	0	230.5	0	0	230.5	0	230.5	1.17
	74	K□ de er ·□i li	0	125	0	0	125	0	125	0	0	125	0.38
	75	Yu nu si ·b□ si ti	0	339.82	0	0	339.82	0	339.82	0	0	339.82	1.01
	76	M□ li□n□ □ui	0	185	0	14	199	0	185	0	14	199	0.45
	77	Tu er xun ·sh□ bi er	0	0	160.57	0	160.57	0	0	160.57	0	160.57	0.47
	78	□ er xi din□ ·t□ ji	0	446.16	0	0	446.16	0	446.16	0	0	446.16	1.22
	79	Y□ sen	0	180	0	0	180	0	180	0	0	180	0.45
	80	□ yi xi□ mu	0	90.4	280.19	0	370.59	0	90.4	280.19	0	370.59	0.84
	81	H□ de er ·□ bu lie zi	0	136.1	222.09	0	358.19	0	136.1	222.09	0	358.19	1.09
	82	Xi□n mi xi h□n ·b□ l□ ti	0	143.7	180	0	323.7	0	143.7	180	0	323.7	0.94
	83	Wu l□ mu ·wu pu er	0	0	460.6	0	460.6	0	0	460.6	0	460.6	1.2
	84	Yi sh□ ke ·su pi	0	53.9	208.2	0	262.1	0	53.9	208.2	0	262.1	0.44
	85	Yi bu l□ yin ·sh□ li	0	0	380.65	0	380.65	0	0	380.65	0	380.65	1.24
	86	□ bu dou re he m□n	0	0	98	0	98	0	0	98	0	98	0.45
	87	Tu er xun m□i m□i ti	0	146.25	0	36	182.25	0	146.25	0	36	182.25	0.45
	88	Yu nu si ·tuo hu ti	0	184.94	241.19	0	426.13	0	184.94	241.19	0	426.13	1.11
	89	Ni y□ zi □i li	0	136	0	0	136	0	136	0	0	136	0.32
	90	□ w□ h□n sh□ li	0	120	169.6	0	289.6	0	120	169.6	0	289.6	1.16
	91	Tu er xun yi min□	0	0	254.75	0	254.75	0	0	254.75	0	254.75	0.53
	92	Sh□ r□n mu yu nu si	0	320.65	0	0	320.65	0	320.65	0	0	320.65	0.67
	93	Ri sh□ mi ti □ bu li zi	0	212.5	161	0	373.5	0	212.5	161	0	373.5	1.05

Affected village	No	Name of Household	Former house area(m ²)					demolished house area(m ²)					area(mu)
			brick-concrete	Brick-wood	earth-wood	complex	total	brick-concrete	Brick-wood	earth-wood	complex	total	
	94	□ i m□ i ti □ bu li zi	0	142.84	52.1	66	260.94	0	142.84	52.1	66	260.94	0.66
	95	□ li mu t□ yi ti	0	488	0	0	488	0	488	0	0	488	1.16
	96	M□ i z□ o er h□ n □ bu dou ke r□ n mu	0	0	334.95	0	334.95	0	0	334.95	0	334.95	1.01
	97	K□ si mu ni y□ zi	0	184.5	0	0	184.5	0	184.5	0	0	184.5	0.91
	98	H□ ili qi h□ n tu er di	0	42.55	292.65	0	335.2	0	42.55	292.65	0	335.2	0.79