



Social Monitoring Report

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PRC: Jiangsu Yancheng Wetlands Protection Project

Prepared by: Jiangsu Yancheng Wetlands Protection Project Management Office

For i) Yancheng Wetlands Protection Project, ii) Yancheng Rare Birds National Nature Reserve Subproject, and iii) Yancheng Forest Farm Subproject

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Asian Development Bank

1st Semi-annual Internal Social Safeguard Monitoring
Report of ADB Loan: Loan 2838/G0311-PRC: Jiangsu
Yancheng Wetland Protection Project

PMO of Jiangsu Yancheng Wetland Protection
Project

Sep 2014

ABBREVIATION

AAOV	Average Annual Output Value
ADB	Asian Development Bank
AH	Affected Household
AP	Affected Person
CNY	Abbreviation for Yuan, PRC's currency
DFF	Dafeng Forestry Farm
DI	Design Institute
DMS	Detailed Measurement Survey
EA	Executing agency
EM	External Monitor
EMA	External Monitoring Agency
FRP	Final Resettlement Plan
FSR	Feasibility Study Report
GAP	Gender Action Plans
GSM	grievance redress mechanism (GRM)
HH	Household
IA	Implementing Agency
JYWPP	Jiangsu Yancheng Wetland Protection Project
JPEPD	Jiangsu Provincial Environment Protection Department
JPMO	PMO of Jiangsu Yancheng Wetland Protection Project
LA&R	Land Acquisition and Resettlement
LLF	Land-Loss Farmer
LPMO	Local Project Management Office
M&E	Monitoring and Evaluation
mu	Chinese land area unit of measure: 1 mu = 0.0667 ha
PMO	Project Management Office
PPTA	Project Preparation Technical Assistance
PRC	People's Republic of China

RMB	Renminbi—another word for the PRC Currency, the Yuan
RP	Resettlement Plan
SPRSS	Summary Poverty Reduction and Social Strategy
SES	Socioeconomic Survey
TOR	Terms of Reference
YFF	Yancheng Forestry Farm
YMG	Yancheng Municipal Government
YRBNNR	Yancheng Rare Birds National Nature Reserve

CURRENCY EQUIVALENTS

(As of 28 Sep 2014)

Currency Unit	—	Yuan (CNY)
CNY1	=	\$0.160
\$1	=	CNY6.247

NOTES

- (i) The fiscal year of the Government of the People's Republic of China and its agencies ends on 31 December.
- (ii) (ii) In this report, "\$" refers to US dollars.

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1 OVERVIEW OF THE PROJECT

1.1 Background and Description of the Project

1. Jiangsu is among the provinces with the largest wetlands in the PRC. A significant portion of them is located in Yancheng municipality. The coastal wetlands in this municipality cover a total area of 453,000 ha — about 30% of the municipality's total area — and stretch for about 580 km along the coast, accounting for 70% of the provincial total and 14.3% of the national total. The Yancheng coastal wetlands consist primarily of extensive inter-tidal mudflats, tidal creeks and river channels, salt marshes, reed beds and marshy grasslands that provide desirable habitats for numerous species of flora and fauna of global and national importance. In recognition of the uniqueness of these wetland ecosystems and the species biodiversity that they harbour, the two national nature reserves are accredited to the List of Wetlands of International Importance under the Ramsar Convention and the UNESCO's World Network of Biosphere Reserves.

2. Moreover, the Yancheng wetlands provide important ecosystem services to local communities. Local livelihoods are sustained through the capture and culture of marine and estuarine plants (e.g., reeds) and fish species. Wetland plants slow the flow of rivers; and the mudflats absorb wave energy from the Yellow Sea, thereby controlling coastal erosion and increasing climate resilience that alleviates the coastal communities of the risks of tsunami and storm surges. Wetlands also improve water quality by assimilating some of the household and industrial wastes that are rapidly increasing in Yancheng municipality. Meanwhile they regulate the local climate and thus help raise agricultural productivity.

3. To further protect Yancheng wetlands, ADB approved the Jiangsu Yancheng Wetland Protection Project on Dec 16, 2011 and the project agreement was signed on Mar 22, 2012. According to the agreement, the project will last from 2012 to the end of 2017.

4. The main content of this project include: 1) Wetlands protection at the Yancheng rare birds national nature reserve(YRBNNR), for (i) wetland restoration of 540 ha of degraded wetland in the experimental zone; (ii) wetland rehydration of 1,630 ha of dehydrated wetland in the core zone; (iii) conversion of 1,435 ha of fishponds to wetlands; (iv) pilot control of the spread of invasive species, particularly 400 ha of *Spartina alterniflora*; (v) construction of wetland protection infrastructure including patrol roads and stations, and waste management; 2) Wetlands protection at the Dafeng milu national nature reserve (DMNNR) for (i) creation of 24.7 ha of drinking water surface for milu deer's drinking water supply; (ii) establishment of 45 ha of grazing and resting ground, and 220 ha of fodder ground, including implementation of 50 ha of rotational closure of grazing ground for milu deer's food supply and resting ground; (iii) implementation of 426.4 ha of tick control, rehabilitation of 24 km of steel biological fences, improvement of 18.5 km of patrol roads, and establishment of a patrol station; (iv) establishment of a milu deer's research laboratory and habitat surveillance system; and (v) construction of the education center and the audio-video center. 3) Coastal forest improvement at the Sheyang forest farm 1 (YFF). (i) rehabilitation of 185 ha of forest bird habitat; (ii) establishment of seedling nurseries including 285.2 ha of Chinese fir and evergreen tree, floral plant, and foliage-leaf nurseries; (iii) establishment of 83.5 ha of agroforestry demonstration; (iv) rehabilitation of 51.4 km of drainage canals; (v) establishment of a forest fire early warning and response system; and (vi)

¹ Due to adjustment of administrative areas, the Sheyang forest farm was renamed as Yancheng forest farm in April of 2012. For details, please refer appendix 1.

establishment of an integrated pest management (IPM) system; 4) coastal forest improvement at Dafeng Forest Farm (DFF), and 5) project management and capacity development.

1.2 Requirements, Basis, Objectives and reporting period of this Internal Monitoring and Evaluation (M&E) Report

5. According to the loan agreement and PAM, social safeguard monitoring should focus on the implementation of the resettlement plan, which includes a reemployment plan for the economically displaced or affected persons. Internal monitoring will be undertaken by JPMO and YPMO with support from the social safeguard specialist as part of the consulting services. JPMO will report to the ADB on the progress of the reemployment plan through the quarterly project progress reports (and the semiannual environmental monitoring reports). External monitoring of the resettlement plan implementation will be conducted by independent experts engaged by YPMO. The external monitor will investigate progress and submit reports to ADB and JPMO semiannually. Meanwhile, Project activities will create labor opportunities and have other impacts on social issues. The consolidated annual monitoring reports will include a section that describes (i) activities, advancements, and impacts on women and other gender issues; and (ii) job opportunities created for poor and other vulnerable groups.

6. The main basis of internal monitoring is the Resettlement Plan (RP), Gender Action Plan (GAP) and Summary Poverty Reduction and Social Strategy (SPRSS), which have been prepared in 2011 in accordance with the applicable laws and regulations of the People's Republic of China (PRC), the applicable regulations of Jiangsu Province, and ADB's policy.

7. The major objective of internal resettlement monitoring reports are to collect related data and report the latest resettlement, social and gender status/implementation situations to ADB, to check their compliance with ADB's social safeguard policy, and to improve them in the next stage. The detail objectives of the internal monitoring reports are to:

- verify the status of resettlement implementation to check if it complies with the approved RP(within the semi-annual and annual report)
- verify the resettlement progress and to check if it consist with the project progress(within the semi-annual and annual report)
- verify the status of APs(within the semi-annual and annual report)
- update the latest social and gender status of the project(within the annual report)
- verify the status of the gender development in project area to check if GAP is followed(within the annual report)
- verify the status of local social development to check if the SPRSS is followed(within the annual report)
- verify the status of public participation and information disclosure (within the semi-annual and annual report)
- identify further social risks raised in the project implementation phase (within the semi-annual and annual report)

- to facilitate to further establish an inclusive manner to develop the project (within the semi-annual and annual report)

8. According to these requirements, a social special specialist was recruited in May 2014 and assisted PMO to prepare this report. The reporting period of this report is from the start of project to the end of June 2014. And according to the PAM, this semi-annual report will focus on the resettlement issue and the monitoring results on the GAP and SPRSS will be reported in the annual social safeguard monitoring report.

1.3 Brief Introduction of the RP and the social dimension of the project

9. Following ADB's Safeguard Policy Statement (2009), the project has been classified as category C for indigenous peoples and as category A for involuntary resettlement. The population in the project area is ethnically homogenous, of mainstream Han ethnicity; therefore, the project has no impact on ethnic minority communities. No further actions are required for the indigenous peoples safeguard.

10. A resettlement plan has been prepared by JPG which covers the impacts of all four project outputs, although resettlement impacts were only identified for the YFF and YRBNNR outputs. According to the RP, there will be economic displacement of 493 persons in 156 households due to the nonrenewal of land use leases, which will expire before the commencement of project activities on the respective land. The livelihood of the economically displaced or affected persons will be safeguarded by providing new leases for replacement land and an alternative fish pond. More specifically, under the wetlands protection at YRBNNR investment output, the conversion of fishponds to wetlands will affect one family and 15 hired laborers due to nonrenewal of the lease agreement upon expiry. YRBNNR management has consulted with the water resource bureau that is developing the fishponds. The water resource bureau is looking for aquacultural contractors, and will give priority consideration to the aquacultural family who will continue to employ the existing laborers. The affected family and laborers have been consulted and are satisfied with the proposed arrangements. For YFF during construction, about 100 tree planters, 30 rangers, and 50 construction workers will be needed. Priority for the recruitment of these positions will be given to the 112 affected employees and 28 lessees. Upon completion, the affected employees will be converted to rangers, forest tenders, and gardeners. The nonemployees will be referred to the Tinghu district employment assistance center of Yancheng municipality to find suitable employment opportunities. The Tinghu district employment assistance center of the Yancheng municipality has been consulted; and it has promised to offer special assistance to the non-employee affected persons. Training will be provided on alternative employment. The above measures are included in the income and livelihood rehabilitation measures of the resettlement plan; and additional mitigation measures will be undertaken, if necessary.

11. The project will improve coastal wetland ecosystem health and services that will promote biodiversity conservation, agroforestry development, eco-tourism development, and climate resilience of local communities. About 1.1 million people who live within the direct project areas and vicinities will directly benefit from the project. Because the two nature reserves are of national and international importance, the project will generate national and global benefits.

12. The project will create 500 person-years of direct and 1,500 person-years of indirect employment opportunities during project construction², with estimated earnings amounting to

² All these indexes underlined in this section and the detailed measures within the GAP will be monitored and reported to ADB within the annual social safeguard monitoring reports.

CNY30 million or \$4.6 million from direct employment and CNY75 million or \$11.5 million from indirect employment. It will generate 150 direct jobs and 400 indirect jobs during project operation, with estimated annual earnings of CNY7.5 million or \$1.2 million from direct employment and CNY20.0 million or \$3.1 from indirect employment. It will also trigger the creation of a large number of off-farm labor opportunities for surrounding communities in ecotourism, and training for off-farm employment will be provided to beneficiaries of the project, including women and other vulnerable groups. Of the 500 person-years of employment opportunities during construction, an estimated 31.0% will go to women. Of the 150 employment opportunities created during operation, an estimated 50% will be availed by women. Project implementation will respect core labor standards, and it will be ensured that implementing agencies and contractors respect national regulations. Job opportunities will be available for women during project implementation and operations. The influx of construction workers to the port area and neighboring communities demands awareness raising for both workers and the public on HIV/AIDS and sexually transmitted disease risks. A gender action plan (GAP) containing measures for maximizing gender benefits has been prepared and is included in this document for implementation. The summary poverty reduction and social strategy (SPRSS) containing poverty and social impacts and mitigation measures has been developed.

13. Beyond the gender-target, pro-poor employment policies state that 70% of unskilled positions should be provided to local poor and rural migrant workers. JPMO, YPMO, and PIUs will also ensure that (i) contractors provide job opportunities respecting core labor standards; (ii) labor conditions, particularly regarding safety of workers and the public, are in line with national regulations, and are provided in a gender-balanced manner; and (iii) awareness raising for both workers and the public on HIV/AIDS and sexually transmitted disease risks is implemented, as influx of construction workers to the port area and neighboring communities may increase public health hazards.

1.4 Process of 1st Internal Social Safeguard Monitoring

14. To prepare the 1st internal social safeguard monitoring report, a social specialist was selected by ADB CMS during the April 2014. The selected social specialist provided the survey questionnaires on July 17, but the implementation agencies (IAs) failed to submit the result on time. So, accompanied by the provincial PMO, the social specialist conducted the first field survey on Sep 3, 2014, collected data by Oct 10 and submit the report on Oct 20. During the field survey, a series of meetings with the concerned officials, different stakeholders were held. During the survey, the person in charge of social dimension of each subject have determined and related ADB's policies and the main contents of GAP and SPRSS have introduced to the IAs.

2 PROJECT PROGRESS AND RESETTLEMENT PROGRESS

2.1 Project progress

2.1.1 YFF

15. The feasibility study report of YFF has been approved by Jiangsu Provincial Development and Reform Commission in November, 2011. After that, Jiangsu Province Jianxin Tendering and bidding Limited Company was determined to be responsible for the whole project bidding. The survey and design work was completed the tender on October 22, 2012, Jiangsu Province Architecture and Landscape Design Institute Limited Company and Jiangsu Province Communications Planning and Design Institute Limited Company won the bid as a consortium.

16. The preliminary design has been modified several times and approved by experts in May 2014. The evaluation report and preliminary design have been submitted to NDRCs at different level for approval. It is estimated it can be approved in the third quarter of 2014.

17. Up to the end of June 2014, the civil work of this project has not been started yet.

2.1.2 YRBNNR

18. The project proposal of YRBNNR has been approved by Jiangsu Provincial Development and Reform Commission in 2009 while the feasibility study report of it has been approved by Jiangsu Provincial Development and Reform Commission in 2011.

19. Part civil works of the project has been started, such as the foundation of the community center has been excavated; the testing pile of the education and research center for the environment and the Xingcun management center station have been finished; The site preparation of Dongshagang Monitoring Station, Xiaoxinhe and Xichaohe Management and Protection Station have been finished; The construction of switching station and generator room has been completed; The 8 bridge piles of No.1 Bridge have finished and the No.2 Bridge is under construction.

20. The ceiling of Scientific education center has been installed; The lecture hall's decoration has completed; The electrical lines and the fire control system pipelines all have been installed; The Intelligent integrated wiring has been completed. Branch pipes, water pipes of geothermal heating and air conditioning engineering' terminal system and terminal electric line have been completed. Air-conditioned host, pumps and their equipment are in place. Temporary facilities of the third and fourth civil engineering

2.1.3 DFF

21. The preliminary design of DFF has been finished in April 2014. According to the design, some contents of the project have been adjusted, such as the wetlands restoration

manner has been changed as natural restoration manner, instead of original engineering restoration manner; the dredging(Kenghuang River, Liushu River, Sipai River, Yunliao River) has been cancelled from this project since it have been conducted by using domestic fund; Weidong Bridge has been cancelled from this project since it has been constructed by domestic fund; the fire control access road have been adjusted. It's estimated the project will be started since Sep. 2014.

2.1.4 DMNNR

22. Since the 1st field survey does not include the DMNNR and this subproject does not involve resettlement issue. Will update its progress and social development issue in annual reports.

2.2 Resettlement progress

2.2.1 YFF

23. The agencies for external resettlement monitoring (Hohai University) has been selected in March 2013.

24. According to the resettlement plan, the project are mainly related to land occupation and some persons will be affected. The land affected are of state-owned forest land, so no need to acquisition, only need to consider production and livelihood rehabilitation or compensation. The project APS mainly contain a population of 112 forestry workers, and 28 households who from outside and rent the land of YFF. The resettlement manner for the affected forestry workers resettlement plans is mainly by land transfer. Up to the end of June 2014, 111 forestry workers, involving 1176 mu, have already signed land transfer contracts, 1 forestry worker has already been allocated with new land. For details, please refer table 2-1.

Table 2-1 Livelihood manner for affected forestry workers

No	Specific Region	Land transfer	Contract land	No resettlement	Total
1	Zhanan Region	10	1	0	11
2	Dongsheng Region	66	0	0	66
3	Fangqiang Region	0	0	0	0
4	Dongfeng Region	9	0	0	9
5	Shengli Region	26	0	0	26
	Total	111	1	0	112

2.2.2 YRBNNR

25. The YRBNNR affected one household (with 5 family members) who has contracted 14,918.8 mu³ of the core zone for aquaculture and 15 seasonal workers (with 49 family members). The five-year lease agreement will expire on 31 December 2012. Upon expiry, the lease will not be renewed. Up to the end of June 2014, Linsong Xu has been returned 1600 mu⁴ of the core zone for aquaculture to the YRBNNR. However, the YRBNNR can't negotiate with contractor about the rest that should be returned. Linsong Xu should return the rest judge in the first-instance in November 2013.

26. After the first-instance Linsong Xu can't agree with this result and he appealed for the second trial. But the decision was upheld in second-instance In June 22, 2014. Up to the end of June 2014, it is found that Linsong Xu still did not return the rest land before the contract deadline according to judgment although the court has made a final decision .The 15 seasonal workers are still working in fishpond getting normal salaries.

³ 1 mu = 1/15 ha.

⁴ 1 mu = 1/15 ha.

3 UPDATED IMPACTS, COMPENSATION POLICY AND LIVELIHOOD RESTORATION

3.1 YFF

3.1.1 Review of the RP and original impacts

27. YFF subproject includes six components: (i) forest bird habitat rehabilitation: 185 ha of forest bird habitat rehabilitated; (ii) seedling nurseries: 285.2 ha of Chinese fir and ever-green tree, flora plant and color-leaf nurseries established; (iii) agro forestry: 83.5 of agro forestry demonstration established; (iv) drainage: 51.4 km of canals rehabilitated; (v) forest fire prevention and response: forest fire early warning and response system established; and (vi) integrated pest management: an integrated pest management system established. For details, please refer table 3-1.

Table 3-1 Project Components

No.	Project Name	Project content
1	Forest bird habitat rehabilitation project	185 ha of forest bird habitat rehabilitated
2	Seedlings scale nurseries project	Through the forest reform and ecological engineering measures, 285 ha of Chinese fir and ever-green tree, flora plant and colour-leaf nurseries established, Seeing the ecological service function, landscape resource and medicinal plant resources value.
3	Agro forestry project	84 ha of agroforestry demonstration established, Improve the system of diversity, stability and sustainable utilization value.
4	Infrastructure construction and monitoring project and emergency response project	forest fire early warning and response system established; integrated pest management system established, provide support for the protection of system self-maintenance and subsequent forest management.

28. The YFF was built in September 1959, covers a land area of 1,900 ha, including 1,533 ha of forested land and 333 ha of farmland. It is a provincial forest park and an important part of the national coastal protection forest system. It has more than 270 workers. The project impacts will be limited within the administrative boundaries of Yancheng city. The component will involve land use changes for 8,089 mu of land, including 3,313 mu of cultivated land, 289 mu of inter-cropping farmland, 1,833 mu of forested land and 2,654 mu of other types of land, such as river course and construction land. The cultivated land and inter-cropping land are leased to 112 farm

workers (with a total of 336 family members) and 28 outside contractors (with a total of 103 family members). The lease is renewable on an annual basis.

29. The YFF will affect 112 farm workers with 336 family members and 28 contract households from outside with 103 family members. The measures of livelihood rehabilitation will be prepared for these APs. The FF provides CNY 1,500 of security for each offspring annually. When the farm worker retires, the allowance land will be reclaimed and re-contracted to other farm worker or outside villagers. The retired farm worker will receive a monthly pension of between CNY 1,600 and CNY 2,000. The lease is renewable on an annual basis. As the project has not yet implemented and the workers are still in the change, the affected Contractors is still in an indeterminate state. The outside contractors also tend to give up their contracted land if they have other better livelihood. According to the survey, the outside contractors have farmland in their home villages. They are flexible in that the land leases with the FF are additional income opportunities. Usually, the outside contractors in the present year may not contract in the following year.

30. The YFF will involve land use changes for 8,089 mu of land, including 3,313 mu of cultivated land, 289 mu of inter-cropping farmland, 1,833 mu of forested land and 2,654 mu of other types of land, such as river course and construction land. As for the affected 112 farm workers, each one has 16 mu of farmland—a total of 1792 mu. The FF does not pay their salaries, and the income from the allowance land is at full disposal of the farm workers. The FF's remaining 1521 mu leases out farmland and agro forestry land (other than the basic allowance land for the workers) to farm workers and villagers from surrounding villagers through bidding on a voluntary basis. The bid winners sign a one-year lease and pay CNY 50 to 650 (depending on the quality of land) leasing fee to the FF. When the contract expires in one year, the land will be reclaimed and invite new tenders in next round.

31. According to RP, there is no such special facilities affected, and the engineering component has not yet started, it will not be considered this moment.

3.1.2 Updated impacts

32. As the application of the project has last 10 years, the situation and access to land all have changed: Such as the early wasteland have covered with trees, original collective land contracted to individuals or units etc. These factors will lead to the project cannot be carried out in the original region, so partial adjustments of Feasibility Study are needed in preliminary design in order to ensure the project implement successfully. Up to the end of June 2014, four construction plans of the project have minor adjustments on the basis of Feasibility Study. Specific projects after adjusting are as follows: (i) Restoration project(represented by ashy starling)for birds habitat: The project intends to recover birds habitat's environment of 185 ha in Dongsheng Region which including terrain and river consolidation, birds habitat and bottomland forest restoration etc. It intends to dredge the river with a total area of about 24 ha, 99 ha of woodland birds habitat restoration, and repair beach area of 24,000 ha. (ii) Cultivation project for seedlings scale : It plans to construct seedlings scale cultivation area of about 285.2 ha which mainly including the construction of cedar and evergreen tree cultivation area of 93.5 ha and 49.4 ha of flower cultivation area in Zhanan Region, and the construction of local tree species cultivation area of 142.3 ha in the southeast of Fangqiang Region and northwest of Shengli Region. (iii) Demonstration project for traditional forestry: This mainly including two sub-regions, which located in the southeast of Dongfeng Region and near Xinyanggang Town, respectively

47.6 ha and 35.9 ha. The two sub-regions are mainly breeding trees by forest tending and promote forests economic model. (iv) The infrastructure construction and monitoring and emergency response project: The infrastructure project includes: Aquatic dredging project, fire channel works, culverts and pumping station construction project; The monitoring and emergency response project includes: The construction of forest fire emergency system and forest pests and diseases emergency system. The rest are all fine-tune.

3.1.3 Livelihood restoration and income restoration

33. For the 111 forestry workers, they can get CNY1,066 per month per person and they can participate other works provided by YFF or go out for part-time jobs until they retired. 1 forestry workers has already been allocated with 22.9 mu new land outside the project area. Part rent for new land, 1300 yuan, will be paid by YFF.

34. For the 28 HHs from outsides who rent the land of YFF, their contracts with YFF have expired on Nov. 15th, 2013. The 28 contracting households are all of the farmers nearby and they have their own contracted land within their own village. So, their basic livelihood can be satisfied. For their income loss part, after the construction started, temporary jobs will give propriety to them.

3.1.4 Resettlement cost

35. By the end of this monitoring, there are two groups of affected forestry workers who choose land transfer. The forestry workers in first group signed contracts in 2012, a total of 24, received 1,066 yuan per month since the middle of Nov, 2012. A total of grant funds is 307,008 yuan by the November 15th, 2013. The forestry workers in second group signed contracts in 2013, a total of 87, received 1,066 yuan per month since the middle of Nov, 2013. A total of grant fund is 92,742 yuan up to the monitoring. By the end of June 2014, the YFF has issued grant fund 399,750 totally.

3.2 YRBNNR

3.2.1 Review of the RP and original impacts

36. The Jiangsu Yancheng rare birds national nature reserve (YRBNNR) partly financed by the Asian Development Bank (ADB) will be implemented within the administrative boundaries of the NNRs. The fish-pond-to-wetland conversion subcomponent will affect one household (with 5 family members) who has contracted 994.6 ha of the core zone for aquaculture and 15 seasonal workers (with 49 family members). The five-year lease agreement will expire on 31 December 2012. Upon expiry, the lease will not be renewed. During the implementation process, the RP will lead to power and telecom special facility reconstruction, not involving the rural collective land expropriation and housing removal.

37. Project impact analysis of the fish ponds: (i)The fishpond is located in the core zone of the nature reserve. According to the lease agreement, the fishpond should be managed in an

extensive way to serve as a habitat for the rare birds. (ii) The average annual output is only 6,000 kg per ha, compared to an average annual output of 15,000 kg per ha with intensive

Affected Persons

38. The YRBNNR will directly affect 16 contractor and seasonal workers, with 54 family members. About 90% of the contractor's aquacultural surface and 10% of his income will be affected, while 20% of the income of the seasonal workers will be affected, for which livelihood rehabilitation measures are also needed.

39. The YRBNNR will require the relocation of 40 telecommunication poles, 10 wire poles of 10 KV and 5 poles of 380 KV. Their property rights belong to the State Power Grid and local telecommunication departments, who will be compensated accordingly.

40. As for the affected aquaculture household: (i) The Sea Dike Management Bureau is developing food-supplied fishpond in the west of the core zone of the nature reserve. The NR has made an agreement with the Bureau on that the latter will provide 1,000 mu of food-supplied fishpond to the affected household in priority to his own will from 1 January 2013. This piece of fishpond is located outside the NR, whose aquaculture condition is better than the original one in the Reserve and the yield will reach to 1,000 kg annually. (ii) the affected household has another 1,000 mu fish farm and a feed processing plant outside the nature reserve, the yearly income from which is about CNY 2,700,000 and will not be decreased by the Project, and (iii) the nature reserve will provide technical assistance on fine aquaculture if necessary.

41. As for the 15 seasonal workers from surrounding villages: (i) 10 of them will continue working in the 1,000 mu fish farm of the affected household outside the nature reserve after the project construction; (ii) if the affected household signs contract with the Sea Dike Bureau, the other five will go on working in the contracted fish farm of the Bureau; and (iii) these 15 workers may seek for new job opportunities from the surrounding villages. These three measures will protect the livelihood of the seasonal workers.

3.2.1 Updated Impacts

42. In YRBNNR, one household who contracted fish pond was affected by the wetlands restoration program under the project. The contract was expired in the end of 2012 and the household was not able to reach agreement with YRBNNR on the lease contract termination and fish pond closure even though YRBNNR coordinated the Sea Dike Management Unit for alternative fish pond contracting as proposed in the resettlement plan. The YRBNNR sued to Dafeng County Court for dispute settlement in September 2013 and the case is still on trial. The impacts of the project is same as the RP.

3.2.2 Updated livelihood restoration and income restoration plan

43. The matter in dispute this moment revolved about the question of Linsong Xu, the aquaculture contractor, didn't return the fishpond after the expiration of the contract (December 31, 2012). The YRBNNR appealed him to the Court. The first-instance ruling, Linsong Xu needed to follow the fishpond contracting agreement according to the established contracts,

return the fishpond after the expiration of the contract .Now, the two sides have yet to agree with the Resettlement Plan. They are waiting for the second trial.

44. As for the 15 seasonal workers, the current resettlement program are as follows: (i)Linsong Xu, still has other industries and factories, they can go there, salaries unchanged; (ii) The YRBNNR recruits a number of Inspectors to patrol poachers in protected areas per year. If the 15 seasonal workers are willing to be inspectors, they will be able to gain priority to be employed, salaries are higher than the original; (iii) Numbers of the ADB items will be implemented in 2014, It requires a lot of labor. If there is a will, this 15 seasonal workers can be hired to participate in the construction of civil engineering , salaries are much better than the current level.

3.2.3 Resettlement Cost

45. The YRBNNR has not involved the compensation up to the end of June 2014.

4 ORGANIZATION

46. A project leading group for the proposed Project was set up by Jiangsu Municipal Government in 2011. The Jiangsu Environmental Department are the Implementation Agencies (IAs) for the Project, while Project's Executive Agency (EA) is Jiangsu Provincial Government. A project management office is established under the leading group. Of which, about 35 staff come from related organizations including 8 female staff. Mr. Zhuang Xinwen, was assigned as the staff in charge of the coordination of resettlement and social issues. PMO will assume overall responsibility on behalf of Jiangsu Government for the implementation of RP, GAP, including planning, implementation, financing, and reporting. Working closely with related departments. The institutional setup for resettlement and GAP is shown in Figure 4-1. The responsibilities of each institution is clearly listed in the PAM of this project.

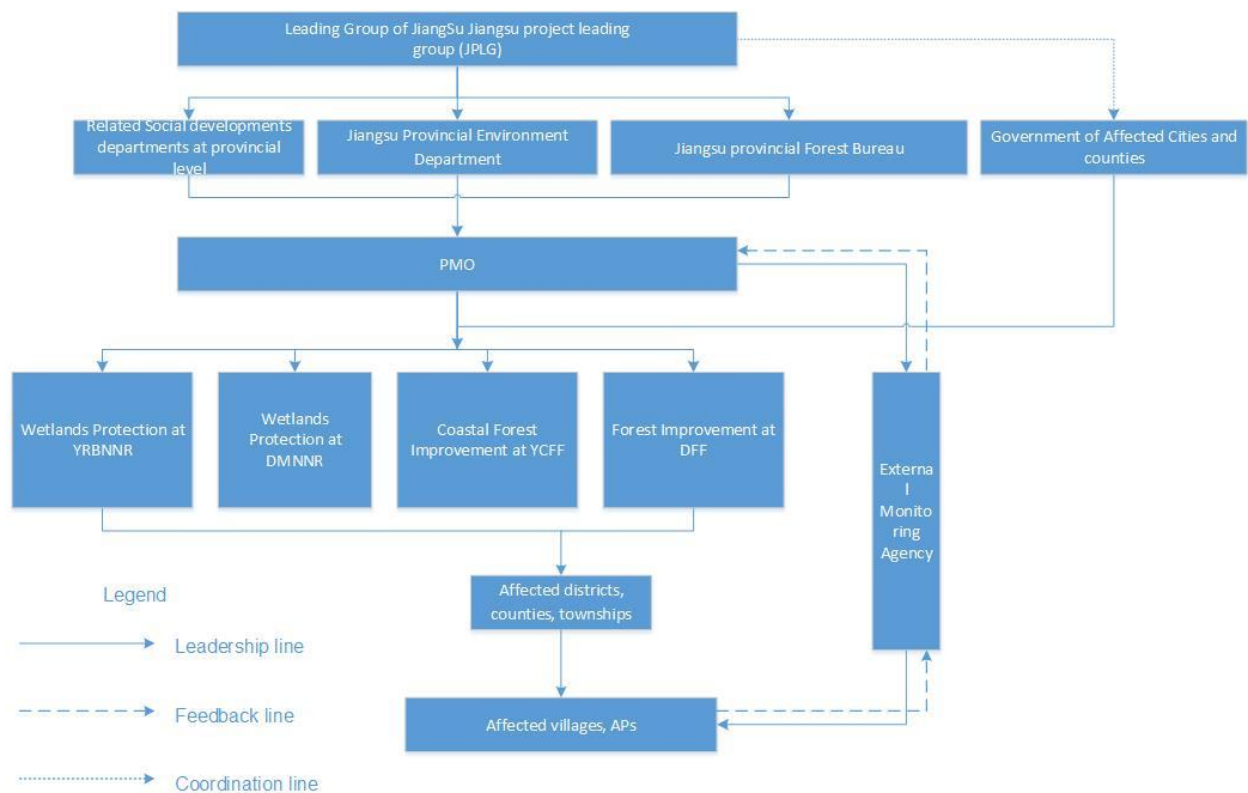


Figure 4-1 Organization Chart

47. All institutions will arrange staff to do coordination and organization work for each component. These people are experienced in resettlement. Their basic information is shown in Table4-1.

Table 4-1 Information of Project Staff

Subproject	Province/City	Name	Sex	Department	Post	Remark
JPMO	Jiangsu Province	Zhao Ting	male	Jiangsu Environmental Protection, JPMODepartment	Deputy Director General	
	Jiangsu Province	Xu Yan		Jiangsu Environmental Protection Department, JPMO	Deputy Director	
	Jiangsu Province	Zhuang Xinpın	Male	Jiangsu Environmental Protection Department, JPMO	Section chief	Person in charge of resettlement and social issue
	Jiangsu Province	Ms. Wang	Female	Jiangsu Environmental Protection Department, JPMO	Section chief	Person in charge of resettlement and social issue
	Jiangsu Province	Mr. Jin	Male	Jiangsu Environmental Protection Department	Director	
	Jiangsu Province	Zhai Ke	Male	Jiangsu Forestry Bureau	Chief	
	Jiangsu Province	Chen Jianlin	Male	Jiangsu Environmental Protection Department	Director	
	Jiangsu Province	Fan Luhuan	Male	Jiangsu Environmental Protection Department	Staff	
YFF	Yancheng City	Yu Wenhua	Male	Yancheng Development and Reform Commission	Director	
	Yancheng City	Sun Qilu	Male	Yancheng Finance Bureau	Deputy Secretary	
	Yancheng City	Luo Shoufu	Male	Yancheng Environment Protection Bureau	Deputy Secretary	
	Tinghu District	Peng Daqing	Male	Yancheng Forest Farm	Deputy Factory Director	
	Tinghu District	Zhai Jinting	Male	Yancheng Forest Farm	Office Director	
	Tinghu District	Zhai Jinglong	Male	Yancheng Forest Farm	Contact	Person in charge of resettlement and social issue
YRBNNR	Yancheng City	Wenhua Yu	Male	Yancheng Development and Reform Commission	Director	
	Yancheng City	Shoufu Luo	Male	Yancheng Environment Protection Bureau	Deputy Secretary	
	Yancheng City	Ming Sun	Male	YRBNNR	Director	
	Yancheng City	Hao Chen	Male	YRBNNR	Assistant Director	
	Yancheng City	Ms. Xu	Female	YRBNNR	Staff	Person in charge of resettlement and social issue

Subproject	Province/City	Name	Sex	Department	Post	Remark
DFF	Dafeng County	Qing Shenghua	Male	DFF	Staff	Person in charge of resettlement and social issue
DMNNR	Yancheng County	Ms. Li	Female		Staff	Person in charge of resettlement and social issue

5 INFORMATION DISCLOSURE AND PUBLIC PARTICIPATION

48. From April 2010 to May 2011, a series of consultation activities were carried out with the APs, county government, and other project stakeholders. The opinions, concerns and suggestions of APs have been integrated into the RP.

49. The RPs have been distributed/posted to all Aps since 2012. In the process of livelihood recovery, consultation meetings with affected persons, including women representatives (at least 30%), have been conducted to introduce current status, ask for their comments and suggestion, and make records for future consideration. For details, please refer table 5-1 and table 5-2.

Table 5-1 Information Disclosure Process

Documents	Language	Date	Place
Introduction to project	Chinese	October,2011	Website of the JMPO
Notice to the resettlement plan	Chinese	August,2011	Sub-JPMO
Resettlement plan, GAP, SPRSS	English	Since August,2011	ADB website
RP, GAP, SPRSS	Chinese, English	Since August,2011	Sub-JPMO
Land transfer plan	Chinese	August 2013	YFF
Key project plan of Jiangsu provincial environment department	Chinese	January 2014	JPMO

Table 5-2 Participation Process

Time	Place	Content	Participants
August 2010	Affected forest farm	Socioeconomic survey, project impact, and the physical survey	PMO officials, PIUs' staffs, APs, the project team of NRCR
Mar. 2011	PMOs, community of APs	Individual problem on resettlement policies and plan Supplementary consultation on individual problems	PMO officials, APs

Time	Place	Content	Participants
Since Jan 2013	YFF	Resettlement plan	PIU, Aps
Since Apr.2012	YRBNNR	Compensation manner	PIU, Aps

6 GRIEVANCE REDRESSAL

50. A grievance redress procedure has been established for the APs to redress land acquisition and resettlement (LA&R) issues that includes the following channels: (i) forest farm resettlement offices (ROs), (ii) RO of project component or sub-component's construction headquarters; and (iii) resettlement department of IA or PMO; and (iv) legal action(s) in the people's court.

51. Mr. Zhuang Xinwen is assigned as the complaint receiver and coordinator in charge of receiving the complaints at JPMO level and he will keep records of any grievances received and redress measures taken.

52. Related contact manners have been post to the Aps.

53. During the economic resettlement process, there are not any complains coming from YFF component, DFF component, and DMNNR component up to now, while the AP, Mr. Xu Songling, of YRBNNR is still unsatisfied with the compensation to him.

54. To comply with ADB's Accountability mechanism policy, JMPO has issued the uniform complaint treatment method and the uniform tables of the project. The complaint receiving registration table and tracking table is showed in appendix 2. At same time, each subproject has assigned the complaint receiver. For details, please refer table 6-1.

Table 6-1 complaint receiver at different level

Name	Position	Duties	Tel
Mr. Zhuang Xinwen	Staff of JPMO	in charge of social and resettlement issue of the whole project	12369 Email:2009PMO@sina.com www.jshb.gov.cn
Ms. Xu	Staff of YRBNNR	in charge of social and resettlement issue of the YRBNNR	051589211123
Mr. Zhai Jinlong	Staff of YFF	in charge of social and resettlement issue of the YFF	13770152123
Mr. Qing Shaohua	Staff of DFF	in charge of social and resettlement issue of DFF	13770235052

7 Conclusions and Suggestions

7.1 Conclusions

7.1.1 The resettlement IAs are well established and have clearly defined duties.

55. The resettlement IAs are well established and have clearly defined duties. However, some component PMOs have to further strengthen capacity.

7.1.2 Resettlement progress is slightly behind schedule.

56. By the end of this reporting period, resettlement and construction progress was slightly behind schedule, especially the resettlement progress of YRBNNR.

7.1.3 Information disclosure and public participation have been properly conducted

57. The IA of YFF have implemented the applicable resettlement policy during economic resettlement process, and public consultation were been done very well.

7.1.4 Grievances and appeals have been handled properly.

58. The complaint treatment method has been properly established and the complaint receiver have been determined and published.

7.1.5 The scope of construction or sites of some components has/have changed.

59. The design of YFF has almost determined and according the latest design, some contents and scope will be adjusted.

7.1.6 Resettlement and gender development file management is inadequate.

60. It is found the Resettlement and gender development file management is inadequate. The PIU can not provide adequate data for the 1st internal social safeguard monitoring, including some basic project, local social development, gender development and resettlement data. .

7.2 Suggestions

7.2.1 The resettlement progress of YRBNNR should be speed up

61. To no seriously affect the implementation progress of YRBNNR, the resettlement progress of YRBNNR should be speeded up.

7.2.2 Further strengthening the capacity building of the component PMOs

62. The resettlement and social staff of all components should be stabilized and further trained in such forms as theoretical study, visit and exchange in order to further improve resettlement management level and institutional capacity. The JPMO should

strengthen the capability of PMO and organize trainings to all staff of IAs on ADB policy as soon as possible, especially the safeguard policy to ensure the smooth implementation of the project.

7.2.3 Further strengthening information disclosure, public participation and grievance redress

63. The resettlement and social staff of all components should be stabilized and further trained in such forms as theoretical study, visit and exchange in order to further improve resettlement and social development management level and institutional capacity. The JPMO should strengthen the capability of PMO and organize trainings to all staff of IAs on ADB policy as soon as possible, especially the safeguard policy to ensure the smooth implementation of the project.

7.2.4 Strengthening the filing of resettlement information

64. The owners and resettlement IAs should keep resettlement and gender development information on record properly to provide a basis for future M&E and final reporting.

7.2.5 The PIU of the project should pay high attention to implementation of GAP and SPRSS

65. The project is categorized as Effective Gender Mainstreaming. A project Gender Action Plan (GAP) has been prepared. But during the field survey, it was found almost all PIUs do not know this. It is strongly suggested all PIUs should pay *high attention to implementation of GAP and SPRSS and keep related data, especially to the matrix table appendixes within the GAP with many detailed indexes.*

Appendix 1 approval of renaming the Sheyang Forest Farm to Yancheng Forest Farm

盐城市机构编制委员会文件

盐市编〔2012〕6号

关于同意将射阳林场更名为盐城林场的批复

亭湖区编办：

你办《关于将“射阳林场”更名为“盐城林场”的请示》（亭编办〔2011〕18号）收悉。根据江苏省人民政府《关于调整盐城市亭湖区与射阳县部分区划的批复》（苏政复〔2011〕18号）和盐城市人民政府第67号纪要精神，原“射阳林场”已划归亭湖区管辖，为适应工作需要，经研究，同意将射阳林场更名为盐城林场，其他事项不变。



盐城市亭湖区机构编制委员会办公室(通知)

亭编办〔2012〕9号

关于转发市编委《关于同意将射阳林场 更名为盐城林场的批复》的通知

区农委：

现将市编委《关于同意将射阳林场更名为盐城林场的批复》（盐市编〔2012〕6号）文件转发给贵委，同意将“射阳林场”更名为“盐城林场”，其他事项不变。

特此通知。

附：《关于同意将射阳林场更名为盐城林场的批复》（盐市编〔2012〕6号）



主题词：事业机构▲ 更名 通知

抄送：区委组织部，区人社局，区财政局。

盐城市亭湖区机构编制委员会办公室

2012年4月16日印发

（共印8份）

Appendix 2 Complaint treatment table

一 抱怨申诉人情况				
1姓名		2地址		
3身份证号		4性别	<input type="checkbox"/> 男 <input type="checkbox"/> 女	
5电话号码		6电子信箱		
7抱怨申诉人类型	<input type="checkbox"/> 当事人 <input type="checkbox"/> 当事人委托代理 <input type="checkbox"/> 民间组织 <input type="checkbox"/> 政府机构 <input type="checkbox"/> 其他（请指明）			
二 抱怨申诉情况				
8抱怨申诉递交	<input type="checkbox"/> 信函 <input type="checkbox"/> 电话 <input type="checkbox"/> 传真 <input type="checkbox"/> 电子邮件 <input type="checkbox"/> 网站 <input type="checkbox"/> 面见			
9抱怨申诉发生地点				
10抱怨申诉类型	<input type="checkbox"/> 招标采购问题 <input type="checkbox"/> 项目资金使用问题 <input type="checkbox"/> 移民安置 <input type="checkbox"/> 环境影响 其他（请指明）：			
11 问题的简要陈述				
12 问题原由的简要陈述				
13 造成问题的主要责任单位				
14 （如果有）过去对该问题的处理或采取的措施				
15 提交的相关证据				
以下由负责受理抱怨申诉的单位填写				
抱怨申诉登记号				
接受抱怨申诉的人	姓名		职务	
接受抱怨申诉的单位			日期	
受理抱怨申诉单位的初步审核意见	负责人： 日期：			
抱怨申诉处理单位意见	负责人： 日期：			
抱怨申诉处理的决定	负责人： 日期：			

Asian Development Bank Financed

Jiangsu Yancheng Wetland Protection Project
(Yancheng Rare Birds National Nature Reserve)
Resettlement External Monitoring and Evaluation Report

(NO.2)

National Research Center of Resettlement of Hohai University

(NRCR)

Nanjing, China

July 2014

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1 Description of the Project

1.1 Project Background and composition

1.1.1 Project Background

Jiangsu is among the provinces with the largest wetlands in the PRC. A significant portion of them is located in Yancheng municipality. The coastal wetlands in this municipality cover a total area of 453,000 ha — about 30% of the municipality's total area — and stretch for about 580 km along the coast, accounting for 70% of the provincial total and 14.3% of the national total. The Yancheng coastal wetlands consist primarily of extensive inter-tidal mudflats, tidal creeks and river channels, salt marshes, reed beds and marshy grasslands that provide desirable habitats for numerous species of flora and fauna of global and national importance. In recognition of the uniqueness of these wetland ecosystems and the species biodiversity that they harbour, the two national nature reserves are accredited to the List of Wetlands of International Importance under the Ramsar Convention and the UNESCO's World Network of Biosphere Reserves.

Moreover, the Yancheng wetlands provide important ecosystem services to local communities. Local livelihoods are sustained through the capture and culture of marine and estuarine plants (e.g., reeds) and fish species. Wetland plants slow the flow of rivers; and the mudflats absorb wave energy from the Yellow Sea, thereby controlling coastal erosion and increasing climate resilience that alleviates the coastal communities of the risks of tsunami and storm surges. Wetlands also improve water quality by assimilating some of the household and industrial wastes that are rapidly increasing in Yancheng municipality. Meanwhile they regulate the local climate and thus help raise agricultural productivity.

Despite their local, national, and global significance, the Yancheng coastal wetlands have been experiencing rapid degradation, leading to the loss and fragmentation of wildlife habitats and loss of biodiversity. Implementation area of the project area is located in 40kilometers east of Yancheng city in Jiangsu province(119°29'~121°16'E, 32°30'~34°37'N), It covers an area of 17400 hectares.

1.1.2 Project Components

Yancheng Rare Birds National Nature Reserve Component covers eight categories of interventions: (i) wetland restoration: 540 ha of degraded wetland in the experimental zone restored; (ii) wetland rehydration: 1,630 ha of dehydrated wetland in the core zone rehydrated; (iii) fish pond conversion: 1,435 ha of fish pond converted to wetland; (iv) spartina alterniflora control: 400 ha of *Spartina alterniflora* piloted control, including water system and flow control ; (v) wetland protection infrastructures: patrol roads, stations and waste management facilities; (vi) wildlife protection: wildlife rescue/breeding/ disease control center established; (vii)

wetland and biodiversity research and monitoring: a research lab and monitoring sites; and (viii) public education and community co-management: public education center and community co-management center established.

1.1.3 Project Fund

The overall project construction period is considered to be 5 years, including project preparation, engineering survey and design and implementation of the project . The total investment is 345.436 million yuan (\$ 52.819 million), the applied fund from the Asian Development Bank is 151.8 million yuan (\$ 23 million).

1.2 External M&E

The National Research Center for Resettlement (NRCR) undertake the external monitoring and evaluation works of Yancheng Rare Birds National Nature Reserve Resettlement.

1.2.1 Range of External M&E

The External M&E range of the Yancheng Rare Birds National Nature Reserve Resettlement is the land and affected persons of the actual implementation of the project for the first and second year.

1.2.2 Contents of External M&E

External M&E for resettlement action should be implemented according to the progress of project implementation. It is necessary for external M&E agency to track affected persons (APs) to monitor and evaluate land acquisition, housing demolition, relocation and rehabilitation, and income restoration. After the completion of the project, a post-evaluation should be made. The purpose of this report is to investigate implementation of the project for the first and second year and found existing issues in the resettlement in a timely manner, and to provide proposed solutions. Specific contents may including institutional arrangements, resettlement progress, resettlement implementation, participation, consultation and grievance redress.

1.2.3 Procedures of External M&E

The procedures of external M&E of this project are as follows:

- ◆ Compile framework for external M&E;
- ◆ Design plan for Sampling;
- ◆ Baseline survey;
- ◆ Establish information system for external M&E;

- ◆ Realize the implementation progress of land acquisition, housing demolition and resettlement;
- ◆ Examine affected physical indicators, compensation standards and payment of compensation fund;
- ◆ Field study and interview;
- ◆ Collection data and establish database;
- ◆ Comparison, analysis and evaluation;
- ◆ Compile external M&E report.

1.2.4 Methods Adopted for External M&E

In July 2014, with the assistance of Yancheng environmental protection agency (YEPA), Yancheng Rare Birds National Nature Reserve (YRBNNR), relevant bureaus and townships, baseline survey was conducted by NRCR of Hohai University. Meanwhile, related bureaus and townships of three counties were also interviewed by the staffs of NRCR in order to examine the progress of project implementation, land acquisition, residential housing demolition and resettlement implementation. According to the tasks of external M&E this time, the following methods are adopted:

Institutions Interview: To interview project owner and all institutions responsible for resettlement implementation to collect all information on resettlement implementation, resettlement activities and its progress, and major problems and its treatment, and the condition of resettlement institutions.

Focus Discussion: Focus discussion is usually be convened to collect information on the allocation and use of resettlement compensation fund, rehabilitation and income restoration for APs, information publication, public participation and consultation, grievance and appeal and its resolution, and suggestions and proposals of APs on resettlement implementation.

Questionnaire Survey: The groups implemented the questionnaire survey for the sampled APs to analyze the existing and potential problems.

Document Reference: To collect various documents related to resettlement implementation, such as agreements, statistical data and surveyed data of land acquisition and housing demolition, and check them.

Typical case study: To interview those who can offer important information, such as chairmen of Housing Demolition Office, head of village committee, householders of AHs, women and the aged, etc.

Field Study: According to the introduction of resettlement implementation organizations, staffs from NRCR should be acknowledged concrete resettlement measures, resettlement implementation schedule and its achievements (including existing and potential risks).

Random Sample: To design the plan for random sample and the sampled persons will be kept trace in the following external M&E until their income is restored completely.

1.2.5 Report of External M&E

The National Research Center for Resettlement (NRCR) undertake the external monitoring and evaluation works of Yancheng Rare Birds National Nature Reserve Resettlement.

In order to ensure the implementation of the resettlement plan, the resettlement external monitoring and evaluation arrangements will be made according to the progress of the project. NRCR of Hohai University will write External M&E reports which are submitted to ADB and JPMO every six months since 2013. The monitoring report is organized as follows:

In January 2013, the first External M&E baseline survey is executed.

In December 2013, the 2nd External M&E the first phase survey is executed.

In July 2014, the 3rd External M&E the second phase survey is executed.

From December 2014 to December 2016, the External M&E report will be submitted every six months.

2 Resettlement Plan Review

The Jiangsu Yancheng rare birds national nature reserve (YRBNNR) partly financed by the Asian Development Bank (ADB) will be implemented within the administrative boundaries of the NNRs. The fish-pond-to-wetland conversion subcomponent will affect one household (with 5 family members) who has contracted 994.6 ha of the core zone for aquaculture and 15 seasonal workers (with 49 family members). The five-year lease agreement will expire on 31 December 2012. Upon expiry, the lease will not be renewed. During the implementation process, the RP will lead to power and telecom special facility reconstruction, not involving the rural collective land expropriation and housing removal.

Project impact analysis of the fish ponds: (i)The fishpond is located in the core zone of the nature reserve. According to the lease agreement, the fishpond should be managed in an extensive way to serve as a habitat for the rare birds. (ii)The average annual output is only 6,000 kg per ha, compared to an average annual output of 15,000 kg per ha with intensive commercial aquaculture.

2.1 Affected Persons

The YRBNNR will directly affect 16 contractor and seasonal workers, with 54 family members. About 90% of the contractor's aquacultural surface and 10% of his income will be affected, while 20% of the income of the seasonal workers will be affected, for which livelihood rehabilitation measures are also needed.

2.2 Special Facilities and Ground Attachments

The YRBNNR will require the relocation of 40 telecommunication poles, 10 wire poles of 10 KV and 5 poles of 380 KV. Their property rights belong to the State Power Grid and local telecommunication departments, who will be compensated accordingly.

3 Project Progress

3.1 Project Construction Progress

The wetland protection project proposal of YRBNNR financed by the ADB has been approved by Jiangsu Provincial Development and Reform Commission in 2009. In 2011, the feasibility study report has been approved by Jiangsu Provincial Development and Reform Commission.

This M&E found that the project has started using the ABD loan. The specific situation is that: The foundation of the community center has been excavated, the testing pile of the education and research center for the environment and the Xingcun management center station have been finished; The site preparation of Dongshagang Monitoring Station, Xiaoxinhe and Xichaohe Management and Protection Station have been finished; The construction of switching station and generator room has been completed; The 8 bridge piles of No.1 Bridge have finished and the No.2 Bridge is under construction.

The ceiling joist of Science education center has been installed; The preface room and lecture hall's decoration has completed; The electrical lines and the fire control system pipelines all have been installed; The Intelligent integrated wiring has been completed. Branch pipes, water pipes of geothermal heating and air conditioning engineering' terminal system and terminal electric line have been completed. Air-conditioned host, pumps and other equipment are in place. Temporary facilities of the third and fourth civil engineering contractor have been built and started

3.2 Project Resettlement Progress

The YRBNNR affected one household (with 5 family members) who has contracted 14,918.8 mu¹ of the core zone for aquaculture and 15 seasonal workers (with 49 family members). The five-year lease agreement will expire on 31 December 2012. Upon expiry, the lease will not be renewed. Up to this M&E, Linsong Xu has been returned 1600 mu² of the core zone for aquaculture to the YRBNNR. However, the YRBNNR can't negotiate with contractor about the rest that should be returned. Linsong Xu should return the rest judge in the first-instance in November 2013.

After the first-instance Linsong Xu can't agree with this result and he appealed for the second trial. But the decision was upheld in second-instance In June22, 2014. This M&E found that Linsong Xu still did not return the rest land before the contract deadline according

¹ 1 mu = 1/15 ha.

² 1 mu = 1/15 ha.

to judgment although the court has made a final decision .The 15 seasonal workers are still working in fishpond getting normal salaries.

4 Production and Livelihood Rehabilitation

4.1 Rehabilitation Programme Plan Review

As for the affected aquaculture household: (i) The Sea Dike Management Bureau is developing food-supplied fishpond in the west of the core zone of the nature reserve. The NR has made an agreement with the Bureau on that the latter will provide 1,000 mu of food-supplied fishpond to the affected household in priority to his own will from 1 January 2013. This piece of fishpond is located outside the NR, whose aquaculture condition is better than the original one in the Reserve and the yield will reach to 1,000 kg annually. (ii) the affected household has another 1,000 mu fish farm and a feed processing plant outside the nature reserve, the yearly income from which is about CNY 2,700,000 and will not be decreased by the Project, and (iii) the nature reserve will provide technical assistance on fine aquaculture if necessary.

As for the 15 seasonal workers from surrounding villages: (i) 10 of them will continue working in the 1,000 mu fish farm of the affected household outside the nature reserve after the project construction; (ii) if the affected household signs contract with the Sea Dike Bureau, the other five will go on working in the contracted fish farm of the Bureau; and (iii) these 15 workers may seek for new job opportunities from the surrounding villages. These three measures will protect the livelihood of the seasonal workers.

4.2 The Actual Rehabilitation Plan

The matter in dispute this moment revolved about the question of Linsong Xu, the aquaculture contractor, didn't return the fishpond after the expiration of the contract (December 31, 2012). The YRBNNR appealed him to the Court. The first-instance ruling, Linsong Xu needed to follow the fishpond contracting agreement according to the established contracts, return the fishpond after the expiration of the contract. Now, the two sides have yet to agree with the Resettlement Plan. They are waiting for the second trial.

As for the 15 seasonal workers, the current resettlement program are as follows: (i) Linsong Xu, still has other industries and factories, they can go there, salaries unchanged; (ii) The YRBNNR recruits a number of Inspectors to patrol poachers in protected areas per year. If the 15 seasonal workers are willing to be inspectors, they will be able to gain priority to be employed, salaries are higher than the original; (iii) Numbers of the ADB items will be implemented in 2014, It requires a lot of labor. If there is a will, this 15 seasonal workers can be hired to participate in the construction of civil engineering, salaries are much better than the current level.

5 Legal Framework and Policies

The project policies are compiled in terms of the relevant laws and regulations of PRC, Jiangsu province, Yancheng municipality, and local governments, as well as ADB's Safeguard Policy Statement (2009). The project resettlement action shall follow close to the provisions in the RP. If any changes occur during the process of implementation, it shall be approved by ADB in advance.

5.1 PRC Regulatory Requirements

The major applicable PRC laws and regulations are as follows:

- (i) *Land Administration Law of the People's Republic of China* (validated on 28 August 2004);
- (ii) *Temporary Regulation for Allocation and Management of Land Use Rights* (promulgated by the State Land Administration Bureau (No.1 [1992]), validated on 8 March 1992);
- (iii) *Land Administration Regulation of Jiangsu Province* (validated on 1 January 2001).
- (iv) *The Asian Development Bank Security Policy Statement*(2009).

5.2 ADB's Policy on Involuntary Resettlement

The major ADB's policy provisions on involuntary resettlement are as follows:

- (i) To avoid the involuntary resettlement if it is feasible;
- (ii) Where population displacement is unavoidable, it should be minimized by exploring all viable project options.
- (iii) Any involuntary resettlement should, as far as possible, be conceived and executed as a part of a development project or program and RP should be prepared with appropriate time bound actions and budgets. Resettlements should be provided sufficient resources and opportunities to reestablish their homes and livelihoods as soon as possible.
- (iv) The APs should be fully informed and closely consulted on resettlement and compensation options. APs should be consulted on compensation and resettlement options, including relocation sites and socio-economic condition restoration. Resettlement information should be disclosed to APs timely, specific opportunities should be provided and a participatory strategy for project planning, implementation and monitoring and evaluation (M&E) should be developed. Procedures for grievance redress should be established. Where adversely APs are particularly vulnerable, resettlement and compensation decisions should be preceded by a social preparation phase to build up the capacity of the vulnerable people to deal with the issues.
- (v) APs should be identified and recorded at the earliest possible point in the project preparation. This should normally be the census or survey that

undertaken to set the cut-off date for determining eligibility for entitlements, which can provide supplement in separating the genuine from the non-genuine cases.

- (vi) The resettlement cost should be included in the project costs and benefits. It includes the compensation, the costs of social preparation and livelihood programs as well as the incremental benefits compared with the non-project situation. Resettlement budget includes the costs of planning, administration, supervision, M&E, tax and fees of land use.
- (vii) To better assure timely availability of required resources and to ensure compliance with involuntary resettlement procedures during implementation, eligible costs of resettlement and compensation may be considered for inclusion in Bank loan financing for the project.
- (viii) Compensation at replacement cost and other resettlement entitlements will be provided before physical or economic displacement.

5.3 The related laws and regulations

Article 54 of the *PRC Land Administration Law* requires that the construction unit that wishes to use state-owned land for construction shall get it by such means of compensation as assignment. However, land to be used for the following purposes may be allocated with the approval of people's government at or above the county level: (i) government land use and military land use; (ii) city infrastructure land use and public interest land use; (iii) land uses for key energy, transportation, and water conservancy projects supported by the state; and (iv) other land use prescribed in laws and administrative regulations.

6 Implementation Organization

6.1 Institutional Arrangement

In this project, the institutions which are in charge of resettlement plan management, implementation and monitoring and their roles and responsibilities are as follows.

JPMO is accountable for resettlement activity, making relevant policies, reviewing RPs, and will prepare semiannual resettlement monitoring reports to ADB.

Yancheng and local PMOs are responsible for implementation management of RPs, management of resettlement funds, organization and coordination, and implementation of internal monitoring.

PIUs are responsible for resettlement investigation, preparation and implementation of RPs.

Land management department/bureaus are responsible for approving formalities of land, and coordination, management, supervision and arbitration.

DIs are responsible for project design, and confirming project impact scope.

As a capacity building measure, the loan implementation support consultants will provide training, advice and supervision to the agencies responsible for resettlement plan implementation and to the external monitoring agency.

All institutions will arrange staff to do coordination and organization work for each component. These people are experienced in resettlement. Their basic information being shown in Table6-1.

Table 6- 1: Information of Project Staff

Province/City	Name	Department	Post
Jiangsu Province	Ting Zhao	Jiangsu Environmental Protection Department	Deputy Director General
Jiangsu Province	Mr. Jin	Jiangsu Environmental Protection Department	Director
Jiangsu Province	Ke Zhai	Jiangsu Forestry Bureau	Chief
Jiangsu Province	Jianlin Chen	Jiangsu Environmental Protection Department	Director
Jiangsu Province	Luhuan Fan	Jiangsu Environmental Protection Department	Staff
Yancheng City	Wenhua Yu	Yancheng Development and Reform Commission	Director
Yancheng City	Shoufu Luo	Yancheng Environment	Deputy Secretary

		Protection Bureau	
Yancheng City	Ming Sun	Yangcheng Rare Bird National Nature Reserve	Director
Yancheng City	Hao Chen	Yangcheng Rare Bird National Nature Reserve	Assistant Director

6.2 The evaluation of institutional capacity

Efficient management system is the basic guarantee for the implementation of the project. According to the needs of the construction, JPMO is established under the management of the Project Management Office of YRBNNR. JPMO has 2 office Rooms and 4 Bureas, a total of 48 people (There are 1 director, 1 assistant director and 1 chief engineer). The departments are in labor division and in close coordination.

The organization of the project has the following abilities:

(i) Planning management ability. To formulate an unified project implementation plan and annual plan, make strict implementation of the project plan and not be allowed to change. To make the work plan and summary on time.

(ii) Process management ability. The management accordance with the basic construction procedure strictly, establish the project legal person responsibility system. Strict implementation of the construction project bidding system and project supervision system to make sure the project component is openly, fairly and impartially.

(iii) Financial management ability. Strict implementation of basic financial management measures and set up special funds account. Unified control shall be used in the management so as to ensure earmarking of fund. No entity or individual shall occupy、misappropriate、embezzle、forcibly transfer it or deduct it for any payment of principal and interest, taxes, debts for any reason.

(iv) Information management ability. Establish electronic records and text file management system, equipped with professional staff and strengthen the regular training for Managers. Introduction of technical personnel and perfect facilities, establish forest wildlife observation point, Regular data collection, classification and establishment of database.

7 Participation, Consultation and Grievance Redress

7.1 Participation

The objectives of consultation and participation are: (i) to formulate project-targeted policies and implement rules on resettlement according to national, provincial and municipal policies and regulations; and (ii) to prepare detailed Resettlement Plan and organize implementation works well in order to safeguard the right and interests of displaced individuals and achieve the goal of proper resettlement. Public participation and broad-based consultation are required at the stages of policy making, RP preparation and implementation.

At the project preparation stage of feasibility study, the JPMO has repeatedly sought suggestions and comments on land acquisition and resettlement from the governments, and mass organizations at all levels of Yancheng municipality, counties, and districts, and PIUs.

From July to September 2010, the JPMO and PIUs organized a preliminary investigation on house conditions and socio-economic status in the project affected area. The directors of PIUs and representatives of APs joined the investigation and provided their comments and suggestions. A survey on socio-economic status and public attitudes and social psychology was carried out in the meantime. The investigation took the public's willingness and attitudes of affected persons into consideration, which has been expressed thoroughly in project design and the Resettlement Plan.

In the future, the following steps and methods will be employed to encourage public participation and consultation:

RP disclosures. The project RP has been distributed to each PIU and to all APs. PMOs have also disclosed on local newspapers to announce the project sites.

To invite representatives of APs to join the resettlement activities. Representatives are from among the affected households. They will solicit suggestions and requirements from APs and communicate with related departments regularly. The PMOs will reply to their questions, and consider their advice and suggestions seriously. Representatives will be chosen to attend various stages of detailed investigation to reflect the interests and voice the opinions of affected people and to ensure fair and transparent resettlement procedures.

Consultation meetings: In the process of livelihood recovery, consultation meetings with affected persons, including women representatives (at least 30%), have been conducted to introduce current status, ask for their comments and suggestion, and make records for future consideration.

Further consultation with APs is necessary to reply and address their questions and

requirements on livelihood recovery in time, seek to solve all the problems before the RP implementation. Each affected contractor/seasonal-worker and seasonal worker will have opportunity to discuss with resettlement implementation agencies at the stage of public participation. The participation and consultation progress plan of the APs are made known to public as follow Table 7-1.

Table 7-1: Laws and Regulation Public Plan

Documents	Language	Date	Public Place
Introduction to the YRBNNR	Chinese	October,2011	Website of the JMPO
Notice to the resettlement plan	Chinese	August,2011	Sub-JPMO
The resettlement plan report	Chinese,English	August,2011	Sub-JPMO

7.2 Grievance Redress

In the preparation and implementation of RP, an appeal mechanism is established to provide the APs. The sequential steps are as follows.

Step 1. If they feel dissatisfied with resettlement plan, APs should appeal to PIUs in verbal or written form; Oral complaint should be documented by PIUs. PIUs should resolve the complaint in 2 weeks.

Step 2. If they are still unsatisfied with the decision in Step 1, APs should appeal to component office/management organization such as the local PMO and JPMO, who should make dispute decision in two weeks.

Step 3. If they are still unsatisfied with the decision in Step 2, they should appeal to the administrative authorities, such as Jiangsu Provincial Land Administration Bureau, with jurisdiction for arbitration according to the PRC Administrative Procedure Law.

Step 4. If they are still unsatisfied with the arbitration decision, they should prosecute to civil court according to the PRC Law on Civil Procedures.

The APs should appeal on any aspect of resettlement activity. The APs have been informed the above appeal steps through public meetings and other forms, so that they will be conscious of their legal right of appealing. JPMO and YPMO will organize all the comments and suggestions on resettlement action into information brief, and send it to relevant resettlement agencies for review and action. All the agencies will accept grievance and complain of APs at free of charge.

8 Conclusions and Suggestions

8.1 Conclusions

(1) The entire construction project progresses steadily. But because of the land contract dispute, part subcontract temporarily cannot construction, this will have a certain impact on the progress of the project.

(2) Although the court has made a final decision, Linsong Xu still did not return the rest land before the contract deadline according to judgment. This needs to be further addressed through both sides.

(3) The 15 seasonal workers are still working in fishpond getting normal salaries. Their livings have not been affected and properly placements are needed after Linsong Xu returning the rest land.

(3)The YRBNNR project has sound organizations and abundant resettlement experiences. Different institutions are in charge of resettlement plan management, implementation and monitoring. They are doing good on their coordination and organization work. These people are experienced in resettlement. However, the file management and internal supervision still need to be strengthened and improved.

(4)The JPMO broadcasts information to the public timely and completely through various forms such as newspapers, television, advertising, network and so on. It has a good mechanism for public participation.

(5) JMPO keeps the grievance and appeal procedure channels open. Grievance regress can be appealed through informally-constituted local committees or formal channels.

8.2 Suggestions

(1) It is needed to negotiate with Linsong Xu and encourage him to return the rest land as soon as possible. Protect the ecological environment of core zone and ensure the entire construction project is progressed steadily and completed on time.

(2) It is important to make appropriate arrangements for the 15 seasonal workers ,protect their legitimate interests and listen to their legitimate appeals.

(3)It is necessary to set up the internal rules and regulations. To strengthen the institutional capacity building, it is recommended that all institutions arrange staff to do coordination and organization work for each component. They need to learn about immigration policies of the ADB, both theoretical study and visit are needed in the form of combination. They may go to the completed projects which are also financed by ADB, to

enhance the efficiency and capacity of the institutions further.

(4) The proposed suggestion for project is to strengthen the immigrant public participation and information disclosure. Maintaining a good communication system and channels to ensure the appeals and complaining of immigrants' opinions and their suggestions get feedbacks and solutions.

(5) The proposed suggestion for project is to ensure the data archiving during resettlement process. Pay attention to the information collected in the resettlement process, such as the living standards photos over the resettlement, compensation agreements. Moreover, it is advantageous to establish the archives to provide basic information for project completion acceptance and External M&E.

亚洲开发银行贷款项目报告

江苏盐城湿地保护项目
移民安置外部独立监测评估报告
(国家级珍禽自然保护区)

(第二期)

河海大学中国移民研究中心

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1 项目概述

1.1 项目背景与组成

1.1.1 项目背景

江苏省位于中国东部，东临黄海，海岸线长度 1,040km。全省湿地总面积约为 6000 万亩，占全省总面积的 39%，是亚洲最大的沿海湿地之一。其中包括 2160 万亩天然湿地和 3390 万亩人工湿地。盐城市地处江苏省北部，面积为 2250 万亩，人口 810 万，是江苏省第二大城市。盐城市境内有湿地 679.5 万亩，包括潮间带海涂、溪流、盐碱滩和芦苇滩，约占江苏省湿地面积的 70%。

1.1.2 项目组成

江苏盐城国家级珍禽自然保护区亚行贷款湿地保护项目主要包括：（1）湿地恢复与重建工程 540 ha，包括栖息地恢复工程 460 ha，滨海湿地恢复研究区工程 80 ha。此外，湿地区域水位控制工程覆盖整个湿地恢复与重建工程范围。（2）引水补湿工程，包括水流控制和植被恢复，面积 1630 ha。（3）退渔还湿工程，包括地形塑造、植被恢复和水流控制，面积 1435 ha。（4）互花米草控制工程，包括水系的建设和水流控制，面积 400 ha。（5）湿地管护、生物多样性监测与研究中心建设工程，包括生态隔离带工程 58 ha，保护工作站 10 处，湿地生物多样性实验室 1 个，湿地监测站 7 个，鸟类观察站 7 个，气象观测站 7 个，以及保护区管理信息系统、野生动物疾病监测和救护繁育中心工程各 1 个。（6）湿地生物多样性科普与环境教育基地建设工程，包括湿地生物多样性科研科普中心布展工程、湿地动植物野外探究设施建设与环境教育设施建设工程。（7）环境保护与卫生防护工程，包括绿色能源、固废处理、污水处理、生态厕所等建设工程。（8）社区共建工程，包括社区共建服务中心建设和社区活动的开展。

1.1.3 项目资金

本项目总体建设期为 5 年，从项目前期准备、工程勘察与设计、项目实施到项目竣工完成的过程。本项目总体投资 34543.6 万元（合 5281.9 万美元），申请亚

洲开发银行贷款15180万元（合2300万美元）。

1.2 非自愿移民外部独立监测

本项目非自愿移民安置的外部独立监测与评估工作由河海大学中国移民研究中心（National Research Center for Resettlement, NRCR）承担。

1.2.1 本次监测评估的范围

本次移民安置的监测范围主要为盐城珍禽保护区工程第一年实际实施项目涉及的移民影响。

1.2.2 本次监测报告的内容

本报告是盐城珍禽保护区工程外资项目基底外部独立监测报告，目的是对截止到2014年7月本项目第一、二年度移民安置情况进行调查，同时及时发现移民安置中存在的问题，并提出相应的解决措施。具体内容包括机构安排、移民进度、移民安置实施、抱怨申诉处理等内容。

1.2.3 监测评估的工作步骤

- 编制移民监测评估工作大纲
- 抽样方案的设计
- 基底调查
- 建立监测评估信息系统
- 跟踪调查
- 资料整理分析
- 编写监测评估报告

1.2.4 监测评估方法

本次监测于2014年7月15日开始，7月17号结束。河海大学移民研究中心派出3名专职监测评估人员，组成了外业调查小组，运用了以下的监测评估方法。

机构访谈：对项目业主和各级移民实施机构进行访谈，通过对各级移民实施机构进行实地访问，了解移民安置实施的全面信息，掌握报告期内的主要移民活动及其进展、实施中的主要问题及其处理和移民机构情况。

座谈会：外部监测评估人员在受影响人群较为集中地区，召开移民代表参加的座谈会，收集以下主要信息：移民补偿资金的拨付与使用、受影响人群的生产安置与就业安置状况、社区生产和生活环境的变化、信息公开、公众参与和协商、抱怨的申诉及其解决、受影响人群对移民实施工作的意见和建议等。

入户访谈：外部监测评估人员深入到受影响的移民家庭中去，与他们进行面对面的访谈，了解移民的实施情况。入户访谈主要了解受影响人群个人、家庭的社会经济状况、移民政策实施情况、各类损失补偿标准及其兑现情况、生产及生活安置情况、信息发布与传递、公众参与、脆弱群体保护措施、抱怨与申诉及其状况。

文献调研：对移民实施活动有关的各种征地拆迁与移民安置的文件、协议、统计报表、专题调研资料等进行系统而有针对性的收集，并进行核实。

典型个案调查：针对需要调查研究的问题，通过深入具有典型代表性的受影响地区，对典型的受影响对象（如拆迁办主任、村委会主任、移民户主、妇女、老人等）进行调查访谈查获第一手资料，进行分析研究，提出解决问题的途径。

实地观察：通过不同层次的移民实施机构的介绍等方式获知移民实施措施、进度、效果，发现实施中存在的或潜在的问题。

抽样调查：为了跟踪了解受影响户在项目前后的生产生活水平的变化情况，外部监测工作组对受影响户进行了抽样调查。

1.2.5 监测评估报告

本项目非自愿移民安置的外部监测与评估由河海大学移民研究中心（National Research Center for Resettlement, NRCR）承担。

为了确保移民安置计划顺利实施，移民安置外部监测评估将根据项目的实施进度做出安排。自2013年起，河海大学移民研究中心将每半年编写一期外部监测报告，并报江苏省项目办及亚行。监测报告具体安排如下：

2013年1月，进行第1次移民外部监测评估基底调查。

2013年12月，进行第2次移民外部监测评估一期调查报告。

2014年7月，进行第3次移民外部监测评估二期调查报告

2014年12月-2016年12月，每半年提交一期监测评估报告。

2 移民计划回顾

江苏盐城国家级珍禽自然保护区亚行贷款湿地保护项目在管辖区内进行，影响承包鱼塘14918.8亩，属于1户承包户，该承包户雇佣15名临时工人作为其工作，承包合同2012年12月31日到期后不再承包；本项目在实施过程中会导致电力和电信专项设施复建，不涉及农村集体土地征收及房屋拆迁。

项目影响鱼塘分析：（i）该鱼塘位于保护区核心区，原计划合同到期以后就不再续签；（ii）该鱼塘属于粗放式养殖，承包户每年投入鱼苗较少，加之位于保护区内，被保护区内各种鸟类食用较多，年产量仅为400千克/亩。

2.1 项目影响人口

珍禽保护区直接影响承包人和临时雇佣工人16人，计入家庭人口合计为54人，承包户的90%的养殖鱼塘和10%的收入将受到影响而需要采取收入恢复措施，临时雇工20%的收入将受到影响，也需要采取收入恢复措施。

2.2 专项设施和附属物

项目影响地面附着物和公用设施1类，为电信/电线杆。具体情况：珍禽保护区子项目涉及的40根电信杆，10根10Kv电线杆，5根380Kv电线杆的迁移。产权属于当地国家电网和电信部门，他们将获得赔偿。

3 项目进度

3.1 项目工程进度

亚行贷款盐城国家级珍禽自然保护区湿地保护项目建议书于2009年得到了江苏省发展与改革委员会的批复，文号为《苏发改农经发【1741】号》；2011年，项目可行性研究报告得到了江苏省发展与改革委员会的批复，文号为《苏发改农经发【1700】号》。

本次监测发现，珍禽保护区亚行贷款项目已经开始施工。具体情况为：土建2包社区共建中心基础已经开挖，环境教育与研究中心、兴农村管护中心站试桩完成；东沙港监测站、小新河管护站、西潮河管护站场地平整已经完成；开关站、发电机房1基础及主体结构已经施工完成；1号桥的8根桥桩已打完，2号桥正在施工。

科普教育中心装饰吊顶龙骨安装完成；序厅、报告厅装饰施工完成；电气安装管线、消防控制系统管线安装完成；智能化综合布线全部施工完成。地热热源空调工程空调末端系统分管、水管安装完成，末端电气管线施工完成，空调机房主机、水泵等设备已进场。土建3包、4包临时设施已经搭建并开工。

3.2 项目移民安置进度

江苏盐城国家级珍禽自然保护区亚行贷款湿地保护项目影响承包鱼塘14918.8亩，属于1户承包户，另有15名临时工人。双方的鱼塘承包合同于2012年12月31日到期，到期后不再续约。

本次监测发现，鱼塘承包户徐林松已经退还所承包14918.8亩鱼塘中的1600亩给珍禽保护区管委会。关于退还剩余承包鱼塘，双方没有达成一致，并上诉至法院。2014年2月27日，江苏省大丰市人民法院做出一审判决（文号【2013】大民初字第2270号），裁决原告江苏省盐城国家级珍禽自然保护区管理处诉被告徐林松、黄富忠土地承包经营权纠纷一案原告胜诉，被告徐林松、黄富忠需要退还所承包珍禽保护区的土地。

一审宣判后，被告徐林松、黄富忠不服结果，进行了上诉。2014年6月22

日江苏省盐城市中级人民法院做出二审终审判决（文号【2014】盐民终字第0994号），维持一审宣判结果，徐林松、黄富忠需要限期退还所承包珍禽保护区的土地。本次监测发现，虽然法院已经做出终审判决，但是徐林松依然没有按判决书要求限期退还所承包鱼塘，其鱼塘养殖仍在继续，所雇工人也还在工作并正常领取薪水。

4 移民生产生活水平恢复

4.1 移民计划恢复方案回顾

对于受影响的鱼塘承包户，（i）海堤管理所在保护区核心区西侧正在开发精养鱼塘，经保护区与海堤管理所协调，从2013年1月1日起，在受影响人自愿的情况下，海堤管理所将优先提供给他1000亩精养鱼塘供其继续养殖，精养鱼塘在保护区外，养殖条件要优于保护区内原有鱼塘，亩产量可达1000千克/年。

（ii）受影响人在保护区外还有1000亩的养殖鱼塘和一个饲料加工厂，不受该项目影响，每年可以获得大约270万元的收入；（iii）保护区还承诺将根据需要为其提供精细化养殖的技术帮助。

对于临时雇佣的15名工人，（i）项目实施以后这10名临时工人部分可在其保护区外1000亩的养殖区继续工作，（ii）如果受影响承包户与海堤管理所签订新的承包合同，另外5名可以继续在其海堤管理所承包的鱼塘工作，同时（iii）15名临时工人可以在周边村镇的承包户那里寻求新的工作。通过以上措施完全可以保证15名临时工人的生计不受影响。

4.2 实际移民恢复方案

由于鱼塘承包户徐林松在2012年12月31日承包合同到期后仍没有退还所承包鱼塘，经双方协商未果，盐城国家级珍禽自然保护区管理处上诉至法院。一审判决结果，徐林松需按照鱼塘承包协议的约定，到期后归还所承包的鱼塘。目前，双方正在等待二审判决结果，仍然没有就安置方案达成一致。

对于15名临时工人，目前的安置方案如下：（i）徐林松仍然有其他产业和工厂，他们可以去徐林松的其他工厂工作，薪水不变，（ii）珍禽保护区保卫科每年需要招募一批巡视员，巡视保护区内偷猎者，保护珍惜鸟类。若这15名临时工人在鱼塘退还后愿意做巡视员，可以优先雇佣，薪水比原来要高，（iii）2014年整个亚行贷款很多子项将会实施，工程建设期间需要大量劳动力。如果这15名临时工愿意，他们可以在工程建设期间参与土建项目，薪水远高于现在水平。

5 法律框架与政策目标

依据中华人民共和国、江苏省、盐城市及各个项目所在地人民政府的有关法规和亚洲开发银行非自愿移民安置政策，制定本项目政策。

本项目移民安置工作的实施都将严格按照移民计划制定的有关政策进行，在实施过程中如有变化需征得亚洲开发银行的同意。

5.1 移民安置主要依据的法律和政策

- 《中华人民共和国土地管理法》(2004年8月28日起执行)
- 《划拨土地使用权管理暂行办法》(国家土地管理局令 1992第1号，自1992年3月8日起实施)
- 《江苏省土地管理条例》(2001年1月1日起实行)
- 《亚洲开发银行保障政策声明》(2009年)

5.2 亚洲开发银行的政策

- 只要可行，应避免非自愿移民。
- 如果人口转移不可避免，应提供可行的生计选择将转移减到最小。
- 每一次非自愿移民视作开发项目或打捆项目的一部分执行。在项目准备期间，亚洲开发银行和执行机构或项目主办方为受影响的人评估分享项目受益的机会。需要向受影响的人提供足够的资源和机会，使他们尽快重建家园，和与土建工程相协调的有时限的行动。
- 受影响的人要充分知情，并密切征求他们的意见。在补偿和/或移民选择权方面要征求受影响的人的意见，包括重新安置地点和社会经济条件的恢复。相关的移民信息在关键点要向受影响的人公开，提供明确的机会，让他们参与到选择、计划和实施选择权当中来。要建立受影响的人的不满补偿机制。如果受到不利影响的人是特殊的弱势群体，移民计划决策执行前会有一个社会准备阶段，以提高他们对谈判、计划和实施的参与。
- 确认。受影响的人应尽早通过人口记录或人口调查被确认和记录，以便

建立他们符合条件的资格，作为资格截止日期，最好是在项目确认阶段，这样可以防止以后有侵入者或那些妄图占取便宜的人流入。

- 全部移民费用要包括在项目费用和受益当中。这包括补偿、重新安置和恢复、社会准备和生计规划费用以及没有项目情况下的增量利润(这部分包括在项目费用和受益当中)。预算也包括计划、管理、监督、监测与评估费用、土地税、土地费以及实物和价格或有费用。如果贷款包括子项目、组成部分或只有项目批准后才能准备的投资以及可能引起非自愿移民的金融中介贷款，贷款批准前必须为移民划拨充足的额外补助。同样，移民计划也应反映移民规划和实施的时限。
- 符合条件的补偿费用。如有要求，重新安置和恢复会被认为包括在亚洲开发银行对项目的贷款资助内，确保所需资源的及时性，并确保在实施过程中遵守非自愿移民程序。

5.3 移民安置涉及的相关法律和政策条款

- **《中华人民共和国土地管理法》有关规定**
- 第五十四条 建设单位使用国有土地，应当以出让等有偿使用方式取得；但是，下列建设用地，经县级以上人民政府依法批准，可以以划拨方式取得：
 - （一）国家机关用地和军事用地；
 - （二）城市基础设施用地和公益事业用地；
 - （三）国家重点扶持的能源、交通、水利等基础设施用地；
 - （四）法律、行政法规规定的其他用地。

6 移民安置实施机构

6.1 移民组织机构

在本项目中，对各縣市子项目移民安置计划管理、实施和监测的主要机构及职责如下：

江苏省盐城湿地保护项目办（设在环保厅） 负责本项目移民安置活动的领导、政策制定、移民安置计划审定，定期编制内部监测报告，报亚洲开发银行。

县（区、市）级亚行项目办（设在环保局） 负责移民安置实施管理、移民资金管理，组织协调以及实施内部监督检查，

项目实施机构 负责移民安置调查、计划编制、实施。

国土部门 负责项目建设用地手续办理、审查、批准和实施协调、管理、监督、仲裁工作。

项目设计单位 负责工程项目设计及具体用地范围的确定。

移民独立监测机构：聘请河海大学中国移民研究中心作为独立第三方外部监测机构负责项目移民安置工作的外部独立监测评估

省、市项目办和实施机构安排了专职人员负责移民安置计划及实施的协调与组织工作。这些人员从事移民安置相关工作多年，经验丰富。这些移民工作人员简历详见表5-1。

表 5- 1 组织机构人员表

省、市、区（县）	姓名	工作单位	职务
江苏省	赵挺	江苏省环保厅	副厅长
江苏省	金处长	江苏省环保厅	处长
江苏省	翟可	江苏省林业局	科长
江苏省	陈俭霖	江苏省环保厅	科长
江苏省	樊陆欢	江苏省环保厅	联系人
盐城市	于文华	盐城市发改委	主任
盐城市	骆守富	盐城市环保局	副局长
盐城市	孙明	盐城国家级珍禽自然保护区	主任
盐城市	陈浩	盐城国家级珍禽自然保护区	主任助理

6.2 机构能力评估

完善而高效的管理体制，是项目顺利实施的基本保证。根据建设的需要，成立盐城国家级珍禽自然保护区亚行项目办公室，隶属盐城国家级珍禽自然保护区项目管理处。管理处下设4科2室，共计48人（其中处长1人，副处长2人，总工1人）。各部门既有分工，又密切配合，不足人员根据工作需要，采用聘用或雇临时工的方式解决，以节省开支。

本次监测发现,项目单位为了移民机构的能力建设，主要采取了以下的措施：

（1）优先满足移民机构的技术人员和行政管理人员的配备，加强专业素养和管理水平的训练；

（2）组织各级机构主要工作人员参加业务培训，了解掌握我国移民政策及亚洲开发银行的有关要求，提高业务素质和政策处理能力；

（3）加强信息反馈，使其从上到下和从下到上双向信息畅通；

（4）强化内部监测责任制度，发现问题及时予以解决，并建立相关的风险预警系统。

7 公众参与、协商与申诉渠道

7.1 公众参与

依据国家、省、市有关移民安置政策和法规，为维护受影响人的合法权益，减少不满和争议，针对本项目的性质，进一步制定好项目的移民安置有关政策和实施细则，编制好移民安置计划，做好实施组织工作，以实现妥善安置移民的目标，本项目在移民安置政策制定、计划编制和实施阶段，都将十分重视移民参与和协商，广泛听取移民的意见。

在项目准备阶段进行可行性研究时，省项目办公室已经多次征求盐城市和各县（市）、区的政府、人大、政协、群众团体、项目实施机构等对项目移民安置工作的建议和意见。

2010年7—9月，省项目办公室和项目实施机构组织人力进行了本项目用地范围内房屋状况和社会经济初步调查，实施机构负责人、受影响户代表、参加了调查和协商，对项目方案及移民安置提出了意见，同时还进行了社会经济调查和公众意见及心理调查。在进行社会经济调查过程中，调查安置意愿、受影响户对项目的态度。在项目设计与移民安置计划编制中已予以充分考虑这些意见。

今后，还将采取下列程序和方式鼓励公众参与和协商：

(1) 移民安置计划公开

移民安置计划将于亚行通过后公布在省、市项目办，让受影响人和非政府组织能够查阅。盐城市项目办公室将在在当地报纸上刊登公告予以说明移民安置计划查阅地点。

(2) 受影响户代表参加移民安置工作

受影响户选出代表，配合有关部门广泛征求受影响户的意见要求，听取合理化建议，定期沟通情况。对他们提出的问题给予答复，盐城市项目办对他们提出的意见和建议给予认真考虑。

在移民安置实施工作中，有移民代表选择参加以充分反映移民的利益和意见，保证本项目移民安置工作的公正合理和透明度。

(3) 召开协商会议

在生计恢复过程中，召开由受影响户代表、妇女代表等参加的座谈会（其中女性代表应在**30%**以上），集中介绍情况，继续听取他们的意见和建议，并对他们提出的建议和意见做记录，日后在项目实施过程中给予考虑和关注。

为了恰当及时地处理受影响户在生计恢复上的问题与要求，需要同受影响人进行进一步的协商与征询意见，使所有问题都能在移民计划实施前得到解决。移民安置实施机构将合理安排公众参与，使每个受影响承包户或临时工人都能得以机会在与移民安置实施机构就移民安置事宜进行讨论。受影响人的公众参与过程计划和政策公开过程见表6-1。

表 6- 1 政策公开计划

文 件	语言与公开方式	公开日期	公开地点
对涉及本项目工程的介绍	中文 项目区政府网站	2011 年 10 月	
公开移民安置计划的通知	中文	2011. 8	子项目办公室
移民安置计划报告	中文，英文	2011. 8	子项目办公室

7.2 抱怨和申诉渠道

本项目在移民安置计划编制和实施过程中，建立了申诉机制。申诉分四个阶段：

- 阶段1：如果受影响人对移民安置计划感到不满，可以向项目实施机构提出口头或书面申诉；如果是口头申诉，则要由项目实施机构作出处理并书面记录。项目实施机构应在**2**周内解决；
- 阶段2：移民若对阶段1的处理决定仍不满意，可以在收到决定后向各项目区亚行项目办/管理机构提出申诉；各项目亚行项目办/管理机构应在**2**周内作出处理决定；
- 阶段3：移民若对阶段2的决定仍不满意，可以在收到决定后，可根据《中华人民共和国行政诉讼法》，逐级向具有管辖权的行政机关申诉，进行仲裁。
- 阶段4：移民若对仲裁决定仍不满意，在收到仲裁决定后，可以根据民事诉讼法，向民事法庭起诉。

受影响人可以针对移民安置的任何方面提出起诉。上述申诉途径，将通过会

议和其他方式告知移民，使移民充分了解自己具有申诉的权利。江苏省项目办和盐城市项目办将各方面对移民工作的意见和建议整理成信息条文，由各级移民机构及时研究处理。各机构将免费接受影响人的抱怨和申诉。

8 结论与建议

8.1 结论

(1) 项目已经进入全面施工阶段，推进顺利。因为土地承包纠纷导致部分合同包暂时无法施工，对项目进度会产生一定影响。

(2) 法院已经对珍禽保护区管理处和徐林松土地承包纠纷一案做出终审判决，徐需要退还全部所承包鱼塘。目前，尽管判决书已经下达，徐仍未按照裁决书归还土地，有待双方进一步解决。

(3) 鱼塘所影响的15名雇佣工人目前还在鱼塘工作，正常领取薪水，生产生活尚未受到影响，有待鱼塘归还后对其进行妥善安置。

(4) 移民组织机构构建完善，并明确了各级机构的职责和任务，人员及工作设施配备合理，并组织了相关工作人员进行了培训；但档案管理及内部监督仍需加强及完善。

(5) 项目办通过各种形式如报纸、电视、公益广告，网络等途径，把信息及时、完整地传递给公众，公众参与机制较好。

(6) 移民抱怨和申诉的渠道畅通，移民知道当自己的权利受到侵犯时的申诉途径。

8.2 建议

(1) 需要与徐林松协商，尽快完成鱼塘退还，保护珍禽保护核心区自然生态环境，保证工程的顺利施工并按照进度完工。

(2) 重点关注所雇佣工人在鱼塘归还后未来的生产生活出路，与徐林松协商，妥善安置因项目受影响的雇佣工人，保证他们的合法利益，听取他们的合理诉求。

(3) 加强机构能力，完善内部管理制度。建议对项目办的工作人员进行亚行移民政策与实施的培训，采用理论学习和参观交流相结合的形式，以进一步加强机构的效率和能力。

(4) 建议继续加强移民公众参与和信息公开。维持良好的沟通制度和沟通

渠道，确保移民的意见与建议，抱怨与申诉得到良好的传达、反馈和解决。

（5）建议做好移民安置过程的资料归档工作，要注意收集移民安置过程中的相关资料，如安置前后的生活水平情况对比照片、赔付协议等，建立档案，为项目竣工验收和监测评估提供基本资料。

Asian Development Bank Financed

Jiangsu Yancheng Wetland Protection Project

Resettlement External Monitoring and Evaluation Report

(Yancheng Forest Farm)

(NO.2)

National Research Center for Resettlement of Hohai University

(NRCCR)

Nanjing, China

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CURRENCY EQUIVALENTS

(As of 25 November 2013)

Currency unit	=	Yuan (CNY)
CNY 1.00	=	\$0.1647
\$1.00	=	CNY 6.0710

ABBREVIATIONS

ADB	–	Asian Development Bank
AP	–	Affected Person
CNY	–	Chinese yuan
HHU	–	Hohai University
JJYWPP	–	Jiangsu Yancheng Wetland Protection Project
NGO	–	Nongovernment organization
NRCR	–	National research center for resettlement
NNR	–	National nature reserve
PMO	–	Project management office
PRC		People Republic of China
JPMO	–	Provincial project management office
PIU	–	Project implementing unit
PLRD	–	Provincial land resources department
PRC	–	People's Republic of China
RP	–	Resettlement plan
YFF	–	Yancheng forest farm
SDMB	–	Sea dike management bureau
TC	–	Telecommunication company
TLRB	–	Tinghu district land resources bureau
YLRB	–	Yancheng land resources bureau
YEPA	–	Yancheng environmental protection agency
TDEPA	–	Tinghu District environmental protection agency
YRBNNR	–	Yancheng rare birds national nature reserve

NOTES

(i) The fiscal year of the Government of the People's Republic of China and its agencies ends on 31 December.

(ii) In this report, "\$" refers to US dollars.

In preparing any country program or strategy, financing any project, or by making any designation of or reference to a particular territory or geographic area in this document, the Asian Development Bank does not intend to make any judgments as to the legal or other status of any territory or area.

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1 Description of the Project

1.1 Project Background and composition

1.1.1 Project Background

Jiangsu is among the provinces with the largest wetlands in the PRC. A significant portion of them is located in Yancheng municipality. The coastal wetlands in this municipality cover a total area of 453,000 ha — about 30% of the municipality's total area — and stretch for about 580 km along the coast, accounting for 70% of the provincial total and 14.3% of the national total. The Yancheng coastal wetlands consist primarily of extensive inter-tidal mudflats, tidal creeks and river channels, salt marshes, reed beds and marshy grasslands that provide desirable habitats for numerous species of flora and fauna of global and national importance. In recognition of the uniqueness of these wetland ecosystems and the species biodiversity that they harbour, the two national nature reserves are accredited to the List of Wetlands of International Importance under the Ramsar Convention and the UNESCO's World Network of Biosphere Reserves.

Moreover, the Yancheng wetlands provide important ecosystem services to local communities. Local livelihoods are sustained through the capture and culture of marine and estuarine plants (e.g., reeds) and fish species. Wetland plants slow the flow of rivers; and the mudflats absorb wave energy from the Yellow Sea, thereby controlling coastal erosion and increasing climate resilience that alleviates the coastal communities of the risks of tsunami and storm surges. Wetlands also improve water quality by assimilating some of the household and industrial wastes that are rapidly increasing in Yancheng municipality. Meanwhile they regulate the local climate and thus help raise agricultural productivity.

Implementation area of the project area is located in Yancheng city Sheyang county of Yancheng Forest Farm in Jiangsu province(120°24'35"~30'35"E , 33°33'30"~37'30"N), It covers an area of 554 hectares, Accounting for 29.2% of the total forest area(1900ha).(The original "Sheyang Forest Farm "has been renamed as" Yancheng Forest Farm", The renamed approval documents see Appendix 1 and Appendix 2).

1.1.2 Project Components

Yancheng Forest Farm Component includes six categories of interventions: (i) forest bird habitat rehabilitation: 185 ha of forest bird habitat rehabilitated; (ii) seedling nurseries: 285.2 ha of Chinese fir and ever-green tree, flora plant and color-leaf nurseries established; (iii) agro forestry: 83.5 of agro forestry demonstration established; (iv) drainage: 51.4 km of canals rehabilitated; (v) forest fire prevention and response: forest fire early warning and response system established; and (vi)

integrated pest management: an integrated pest management system established.

The project components are shown in Table 1-

Table 1-1 Project Components

No.	Project Name	Project content
1	Forest bird habitat rehabilitation project	185 ha of forest bird habitat rehabilitated
2	Seedlings scale nurseries project	Through the forest reform and ecological engineering measures, 285 ha of Chinese fir and ever-green tree, flora plant and colour-leaf nurseries established, Seeing the ecological service function, landscape resource and medicinal plant resources value.
3	Agro forestry project	84 ha of agroforestry demonstration established, Improve the system of diversity, stability and sustainable utilization value.
4	Infrastructure construction and monitoring project and emergency response project	forest fire early warning and response system established; integrated pest management system established, provide support for the protection of system self-maintenance and subsequent forest management.

1.2 Direct Project Area

1.2.1 Project Benefit Area

The YFF is located in Sheyang County and administered by the Tinghu district. It was built in September 1959, covers a land area of 1,900 ha, including 1,533 ha of forested land and 333 ha of farmland. It is a provincial forest park and an important part of the national coastal protection forest system. It has more than 400 forest farm workers. The whole project to benefit area is 554 ha (see Graph 2).

1.2.2 Project Impact Area

As the four project components of YFF are all implemented in the range of Yancheng forest, and there is no relocation of population. Impact area is the same as benefit area. Project area of YFF is located in Yancheng city. Directly benefit area is the implementing agencies and Sheyang county, Indirect benefit area is Tinghu district.

1.3 External M&E

1.3.1 Procedures of External M&E

The procedures of external M&E of this project are as follows:

- ◆ Compile framework for external M&E;
- ◆ Design plan for Sampling;
- ◆ Baseline survey;
- ◆ Establish information system for external M&E;
- ◆ Realize the implementation progress of land acquisition, housing demolition and resettlement;
- ◆ Examine affected physical indicators, compensation standards and payment of compensation fund;
- ◆ Field study and interview;
- ◆ Collection data and establish database;
- ◆ Comparison, analysis and evaluation;
- ◆ Compile external M&E report.

1.3.2 Contents of External M&E

External M&E for resettlement action should be implemented according to the progress of project implementation. It is necessary for external M&E agency to track affected persons (APs) to monitor and evaluate land acquisition, housing demolition, relocation and rehabilitation, and income restoration. After the completion of the project, a post-evaluation should be made.

According to the RP, the major impact of the project is the compensation for land acquisition, residential housing demolition, temporary land occupation and partial ground attachments. Thus, the contents of external M&E of the project are shown as follows:

- ◆ Project implementation progress;
- ◆ The progress and area of permanent land acquisition, related compensation standards, the allocation and use of compensation fund;
- ◆ The area of housing demolition, related compensation standards, the allocation and use of compensation fund;
- ◆ The area of temporary land occupation, related compensation standards, the allocation of compensation fund, and restoration progress of the occupied land;
- ◆ Rehabilitation of vulnerable groups;
- ◆ Sample analysis for income and expenditure structures of affected households (AHs);
- ◆ Suggestions and proposals of APs for compensation of land acquisition/occupation and housing demolition and resettlement;
- ◆ Organization and strengthen institutional capacity;
- ◆ Internal supervision;
- ◆ Patterns and effects of public participation;
- ◆ Grievance and appeal.

1.3.3 Methods Adopted for External M&E

In July of 2014, with the assistance of Yancheng environmental protection agency (YEPA), Tinghu District environmental protection agency (TDEPA), relevant bureaus and townships, the 2nd external M&E was conducted by NRCR of Hohai University. Meanwhile, related bureaus and townships of three counties were also interviewed by the staffs of NRCR in order to examine the progress of project implementation, land acquisition, residential housing demolition and resettlement implementation. According to the tasks of external M&E this time, the following methods are adopted:

Institutions Interview: interview project owner and all institutions responsible for resettlement implementation to collect all information on resettlement implementation, resettlement activities and its progress, and major problems and its treatment, and the condition of resettlement institutions.

Focus Discussion: focus discussion is usually be convened to collect information on the allocation and use of resettlement compensation fund, rehabilitation and income restoration for APs, information publication, public participation and consultation, grievance and appeal and its resolution, and suggestions and proposals of APs on resettlement implementation.

Questionnaire Survey: the groups implemented the questionnaire survey for the sampled APs to analyze the existing and potential problems.

Document Reference: collect various documents related to resettlement implementation, such as agreements, statistical data and surveyed data of land acquisition and housing demolition, and check them.

Typical case study: interview those who can offer important information, such as chairmen of Housing Demolition Office, head of village committee, householders of AHs, women and the aged, etc.

Field Study: according to introduction of resettlement implementation organizations, staffs from NRCR should be acknowledged concrete resettlement measures, resettlement implementation schedule and its achievements (including existing and potential risks).

Random Sample: design the plan for random sample and the sampled persons will be kept trace in the following external M&E until their income is restored completely. The detail is shown in Chapter 5.

1.3.4 Tasks and Schedule for External Monitoring

The 2nd external M&E began In July 2014. Tasks and schedule for external M&E are shown in Table1-2.

Table1-2 Tasks and Schedule for external M&E

Time	Departments and Bureaus	Tasks
16 th July—17 th July	YFF	progress of project implementation and resettlement implementation, actual physical indicators of permanent land acquisition and temporary land occupation , related compensation standards, affected household survey, typical case investigation
17 th July—18 th July	YEPA	public participation tasks and contents; measures adopted to minimize project impacts; project impact ;

2 Project Impacts

2.1 Impacts

The YFF was built in September 1959, covers a land area of 1,900 ha, including 1,533 ha of forested land and 333 ha of farmland. It is a provincial forest park and an important part of the national coastal protection forest system. It has more than 270 workers. The project impacts will be limited within the administrative boundaries of Yancheng city. The component will involve land use changes for 8,089 mu of land, including 3,313 mu of cultivated land, 289 mu of inter-cropping farmland, 1,833 mu of forested land and 2,654 mu of other types of land, such as river course and construction land. The cultivated land and inter-cropping land are leased to 112 farm workers (with a total of 336 family members) and 28 outside contractors (with a total of 103 family members). The lease is renewable on an annual basis.

2.2 Project Impacts

2.2.1 Affected Persons

The YFF will affect 112 farm workers with 336 family members and 28 contract households from outside with 103 family members. The measures of livelihood rehabilitation will be prepared for these APs. The FF provides CNY 1,500 of security for each offspring annually. When the farm worker retires, the allowance land will be reclaimed and re-contracted to other farm worker or outside villagers. The retired farm worker will receive a monthly pension of between CNY 1,600 and CNY 2,000. The lease is renewable on an annual basis. As the project has not yet implemented and the workers are still in the change, the affected Contractors is still in an indeterminate state. The outside contractors also tend to give up their contracted land if they have other better livelihood. According to the survey, the outside contractors have farmland in their home villages. They are flexible in that the land leases with the FF are additional income opportunities. Usually, the outside contractors in the present year may not contract in the following year.

2.2.2 Affected land

The YFF will involve land use changes for 8,089 mu of land, including 3,313 mu of cultivated land, 289 mu of inter-cropping farmland, 1,833 mu of forested land and 2,654 mu of other types of land, such as river course and construction land. As for the affected 112 farm workers, each one has 16 mu of farmland—a total of 1792 mu. The FF does not pay their salaries, and the income from the allowance land is at full disposal of the farm workers. The FF's remaining 1521 mu leases out farmland and agro forestry land (other than the basic allowance land for the workers) to farm workers and villagers from surrounding villagers through bidding on a voluntary basis. The bid winners sign a one-year lease and pay CNY 50 to 650 (depending on the quality of land) leasing fee to the FF. When the contract expires in one year, the land

will be reclaimed and invite new tenders in next round.

2.2.3 Affected Special facilities

According to RP, there is no such special facilities affected, and the engineering component has not yet started, it will not be considered this moment.

2.2.4 Changes and impacts

As the application of the project has last 10 years, the situation and access to land all have changed: Such as the early wasteland have covered with trees, original collective land contracted to individuals or units etc. These factors will lead to the project cannot be carried out in the original region, so partial adjustments of Feasibility Study are needed in preliminary design in order to ensure the project implement successfully. Up to this External M&E, four construction plans of the project have minor adjustments on the basis of Feasibility Study. Specific projects after adjusting are as follows:

(i) Restoration project(represented by ashy starling)for birds habitat: The project intends to recover birds habitat's environment of 185 ha in Dongsheng Region which including terrain and river consolidation, birds habitat and bottomland forest restoration etc. It intends to dredge the river with a total area of about 24 ha, 99 ha of woodland birds habitat restoration, and repair beach area of 24,000 ha.

(ii) Cultivation project for seedlings scale : It plans to construct seedlings scale cultivation area of about 285.2 ha which mainly including the construction of cedar and evergreen tree cultivation area of 93.5 ha and 49.4 ha of flower cultivation area in Zhanan Region, and the construction of local tree species cultivation area of 142.3 ha in the southeast of Fangqiang Region and northwest of Shengli Region.

(iii) Demonstration project for traditional forestry: This mainly including two sub-regions, which located in the southeast of Dongfeng Region and near Xinyanggang Town, respectively 47.6 ha and 35.9 ha. The two sub-regions are mainly breeding trees by forest tending and promote forests economic model.

(iv) The infrastructure construction and monitoring and emergency response project: The infrastructure project includes: Aquatic dredging project, fire channel works, culverts and pumping station construction project; The monitoring and emergency response project includes: The construction of forest fire emergency system and forest pests and diseases emergency system.

The rest are all fine-tune (The changes between preliminary design and feasibility study report see Annex 8).

3 Legal Framework and Policies

The project policies are compiled in terms of the relevant laws and regulations of PRC, Jiangsu province, Yancheng municipality, and local governments, as well as ADB's Safeguard Policy Statement (2009). The project resettlement action shall follow close to the provisions in the RP. If any changes occur during the process of implementation, it shall be approved by ADB in advance.

3.1 PRC Regulatory Requirements

The major applicable PRC laws and regulations are as follows:

- (i) *Land Administration Law of the People's Republic of China* (validated on 28 August 2004);
- (ii) *Temporary Regulation for Allocation and Management of Land Use Rights* (promulgated by the State Land Administration Bureau (No.1 [1992]), validated on 8 March 1992);
- (iii) *Land Administration Regulation of Jiangsu Province* (validated on 1 January 2001).

3.2 ADB's Policy on Involuntary Resettlement

The major ADB's policy provisions on involuntary resettlement are as follows:

- (i) To avoid the involuntary resettlement if it is feasible;
- (ii) Where population displacement is unavoidable, it should be minimized by exploring all viable project options.
- (iii) Any involuntary resettlement should, as far as possible, be conceived and executed as a part of a development project or program and RP should be prepared with appropriate time bound actions and budgets. Resettlements should be provided sufficient resources and opportunities to reestablish their homes and livelihoods as soon as possible.
- (iv) The APs should be fully informed and closely consulted on resettlement and compensation options. APs should be consulted on compensation and resettlement options, including relocation sites and socio-economic condition restoration. Resettlement information should be disclosed to APs timely, specific opportunities should be provided and a participatory strategy for project planning, implementation and monitoring and evaluation (M&E) should be developed. Procedures for grievance redress should be established. Where adversely APs are particularly vulnerable, resettlement and compensation decisions should be preceded by a social preparation phase to build up the capacity of the vulnerable people to deal with the issues.
- (v) APs should be identified and recorded at the earliest possible point in

the project preparation. This should normally be the census or survey that undertaken to set the cut-off date for determining eligibility for entitlements, which can provide supplement in separating the genuine from the non-genuine cases.

- (vi) The resettlement cost should be included in the project costs and benefits. It includes the compensation, the costs of social preparation and livelihood programs as well as the incremental benefits compared with the non-project situation. Resettlement budget includes the costs of planning, administration, supervision, M&E, tax and fees of land use.
- (vii) To better assure timely availability of required resources and to ensure compliance with involuntary resettlement procedures during implementation, eligible costs of resettlement and compensation may be considered for inclusion in Bank loan financing for the project.
- (viii) Compensation at replacement cost and other resettlement entitlements will be provided before physical or economic displacement.

3.3 The related laws and regulations

Article 54 of the *PRC Land Administration Law* requires that the construction unit that wishes to use state-owned land for construction shall get it by such means of compensation as assignment. However, land to be used for the following purposes may be allocated with the approval of people's government at or above the county level: a) government land use and military land use; (b) city infrastructure land use and public interest land use; (c) land uses for key energy, transportation, and water conservancy projects supported by the state; and (d) other land use prescribed in laws and administrative regulations.

4 Project Progress

4.1 Project Construction Progress

The feasibility study report of YFF financed by the ADB has been approved by Jiangsu Provincial Development and Reform Commission in November, 2011. The land use certificate application has been delivered to the Bureau of Land and Resources. According to the feasibility study report, the planned project construction progress is shown in Figure4-1. As the table show, the project is in the second year for restoration project for birds habitat.

Figure4-1 Planned Project Construction Progress

No	Project	Year 1st				Year 2nd				Year 3rd				Year 4th				Year 5th			
		1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
1	Early-stage preparations																				
2	Restoration project for birds habitat																				
3	Demonstration project for traditional forestry																				
4	Cultivation project for seedlings scale																				
5	Forest fire emergency system																				
6	Forest pests and diseases emergency system																				
7	Aquatic dredging project																				

By the end of this monitoring, the following works of the project have been completed:

(1) Jiangsu Province Jianxin Tendering and bidding Limited Company was determined to be responsible for the whole project bidding.

(2) The survey and design work was completed the tender on October 22, 2012 , Jiangsu Province Architecture and Landscape Design Institute Limited Company and Jiangsu Province Communications Planning and Design Institute Limited Company won the bid as a consortium, the bid amount is CNY 1.3 million (bid-winning notices see Annex 6). Currently, the preliminary design has been modified several times and approved by experts in May 2014. (technical consulting contract see Annex 7).The evaluation report and preliminary design have been reported to NDRC level by level and the approval is expected to get in the third quarter of this year.

(3) The supervision tendering was completed on December 18, 2012, the successful tenderer was Jiangsu Province Weiye Engineering Supervision Consulting Limited Company, the bid amount was CNY 810,000 (bid notices see Annex 6).

(4) Jiangsu Province Jianxin Tendering and bidding Limited Company and design units have been preparing bidding documents.

Currently, the construction of the entire project has not yet started. Because of the actual time spend on design and approval was more than planned, so compared with the implementation schedule in feasibility study report, the overall implementation process is relatively slow.

4.2 Project Resettlement Progress

According to the resettlement program, resettlements of the project are mainly related to land and population affected. YFF project affected lands are state-owned, and therefore land acquisition procedures are not involved in the project, administrators only need to consider production and livelihood rehabilitation or compensation. The project APS mainly contain a population of 112 forestry workers, and 28 contracting households. The forestry workers resettlement plans is mainly land transfer. Up to the monitoring, 111 forestry workers of 112 have already signed land transfer contracts, 1176 mu of land has been restored; 1 forestry workers of 112 has already signed a land contract, 22.9 mu and appropriate compensation procedures have been implemented. Forestry workers participated in land transfer voluntarily give up the land-dependent mode of production, their own labor could be input in industrial production or services. Life compensation of CNY1,066 per month per person at the same time are delivered by the YFF. Land transfer grants will not fail until the forestry workers begin their pensions. The specific region numbers of land transfer are shown in Table 4-1. The contracts with contracting households have expired on Nov. 15th, 2013. The 28 contracting households all have accomplished land transfer. After the construction commences, recruitment of temporary jobs will give propriety to affected forestry workers and contracting households. The workers' allowance land in the project area was partial adjustment, the main methods were divided into two kinds: one was providing another fields; and the other one was land rent circulation, the workers' land was rented by YFF and every month the unit gave out 13,000 to the personal bank accounts of per workers.

Table4-1 Actual Resettlement of forestry workers

No	Specific Region	Land transfer	Contract land	No resettlement	Total
1	Zhanan Region	10	1	0	11
2	Dongsheng Region	66	0	0	66
3	Fangqiang Region	0	0	0	0
4	Dongfeng Region	9	0	0	9
5	Shengli Region	26	0	0	26
	Total	111	1	0	112

5 Compensation Standards and Fund

The project policies are compiled in terms of the relevant laws and regulations. The project shall follow close to the situations of Jiangsu Province and the affected provinces to make compensation standards.

The project does not contain the rural collective land expropriation and house demolition. The sub-project does not contain the problem of rural land expropriation and house demolition.

Land used in the project is state owned. Land use rights and their rights to decide for all of the project belongs to the executing agency. The project does not change the ownership of the land, there is no land expropriation problems. Within the YFF project land, 112 forestry workers and 28 contract households contracted are affected, but those affected persons only have land contract and management rights. In addition, the forest will exchange from affected land to the other equal number of similar quality land for APs to continue the contracts or make compensations. Therefore, the project does not have rural collective land expropriation, there was no transfer of state-owned land use rights, according to the relevant laws of the PRC, there is no issue of land expropriation.

5.1 Compensation Standard for Temporary Land Occupation

According to the feasibility study, the temporary land for project construction used are in the project plans land, so there is no need for temporary land compensation.

5.2 Compensation Standards for Affected Infrastructures

According to the feasibility study report, no special facilities within the scope of the project, and therefore do not need to be compensated.

5.3 Compensation Fund

5.3.1 Budget

The total budget of the resettlement project is 80 million and the costs are included in the entire project budget. The project does not contain house demolish and facilities demolish, so no fees are required by the project.

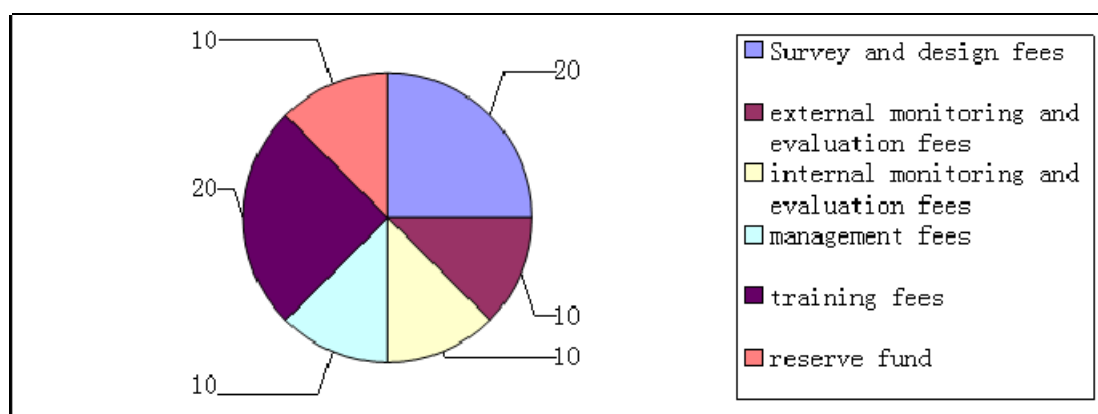


Figure5-1 The budget allocation of the resettlement

Survey and design fees, external monitoring and evaluation fees, internal monitoring and evaluation fees, management fees, training fees and reserve fund are included in the resettlement budget. They are mainly allocated as shown above Figure 5-1.

Under the arrangement, the project for coastal ecosystems forest protection project is a public service project without direct revenue. The local government supporting funds will repay for the cost of the project. Resettlement funding comes from the matching funds, matching funds come from Tinghu Government of Yancheng City. According to the analysis, project supporting and repayment occupy less than 0.2% of the fiscal revenue of Tinghu Government during the construction and repayment period. The fiscal revenue of Tinghu Government can ensure the repayment for the project.

The forestry workers will receive 1066 yuan / month per person as compensation. Available income is 12,792 yuan a year, while rural income of Sheyang County per capita is 10,377 yuan, according to the 2012 Statistical Yearbook of Jiangsu Province. The compensation is higher than the income of the local farmers, it is fully enough for forestry workers' livings. And the pension insurance, medical insurance, work injury insurance, maternity insurance and unemployment insurance of forestry workers are paid by the YFF.

5.3.2 Compensation Fund Allocation Procedure

According to the feasibility study and site visits, we learned that the project grant funds of 1066 yuan per month begin issuing the first funds from November 2012. They will be delivered before the end of December 2012 into uniform handling card for forestry workers. The affected farmers who signed the land transfer in 2012 have received compensation fund for two weeks for November 2012 and 1 month for December 2012, it is 1,066 yuan per month, a total of 1599 yuan. The affected farmers who signed the land transfer in 2013, the project grant funds of 1066 yuan per month begin issuing the first funds from November 2013,

By the end of this monitoring, there are two groups of affected forestry workers who choose land transfer. The forestry workers in first group signed contracts in 2012, a total of 24, received 1,066 yuan per month since the middle of Nov, 2012. A total of grant funds is 307,008 yuan by the November 15th, 2013. The forestry workers in

second group signed contracts in 2013, a total of 87, received 1,066 yuan per month since the middle of Nov, 2013. A total of grant fund is 92,742 yuan up to the monitoring. By the end of this monitoring, the YFF has issued grant fund 399,750 totally.

Table5-1 The payment of grant fund in land transfer

No	Specific Region	Land transfer	No resettlement	Total
1	Zhanan Region	10	0	10
2	Dongsheng Region	66	0	66
3	Fangqiang Region	0	0	0
4	Dongfeng Region	9	0	9
5	Shengli Region	26	0	26
	Total	111	0	111

5.4 Compensation Fund Management

YFF finance management is mainly responsible by the Finance Division. Finance Division has 2 people, including a chief and a cashier. Finance Division of the farm is leaded by charge of the leadership, it is responsible for organizing the day-to-day work, its primary duties include as follows: 1. Formulate accounting rules and regulations and financial management approaching to strengthen financial management and responsible for the implementation; 2. Account oversight, review of providing accounting information external, review or participate in the formulation of economic contracts, agreements and other financial documents; 3. Enforce financial plans and budgets strictly, save costs and take funds use effect assessment, use the financial data fully and provide accurate data for leadership in a timely manner; 4. Prepare and audit departments for annual fees of planned program, inspect accordance with the implementation of the scheme assessment strictly; 5. Establish custody of accounting documents properly, accounting books, accounting statements and other accounting informations in accordance with relevant state regulations, and do a good management of accounting file .

6 Implementation Organization

6.1 Institutional Arrangement

In this project, the institutions which are in charge of resettlement plan management, implementation and monitoring and their roles and responsibilities are as follows.

JPMO is accountable for resettlement activity, making relevant policies, reviewing RPs, and will prepare semiannual resettlement monitoring reports to ADB.

Yancheng and local PMOs are responsible for implementation management of RPs, management of resettlement funds, organization and coordination, and implementation of internal monitoring.

PIUs are responsible for resettlement investigation, preparation and implementation of RPs.

Land management department/bureaus are responsible for approving formalities of land, and coordination, management, supervision and arbitration.

Jiangsu Province Architecture and Landscape Design Institute Limited Company and Jiangsu Province Communications Planning and Design Institute Limited Company took responsible for the survey, design and determining the land scope.

Jiangsu Province Jianxin Tendering and bidding Limited Company was responsible for the whole project bidding works.

Jiangsu Province Weiye Engineering Supervision Consulting Limited Company was responsible for the project supervision work.

DIs are responsible for project design, and confirming project impact scope.

As a capacity building measure, the loan implementation support consultants will provide training, advice and supervision to the agencies responsible for resettlement plan implementation and to the external monitoring agency.

All institutions will arrange staff to do coordination and organization work for each component. These people are experienced in resettlement. Their basic information is shown in Table6-1.

Table 6- 1 Information of Project Staff

Province/City	Name	Department	Post
Jiangsu Province	Zhao Ting	Jiangsu Environmental Protection Department	Deputy Director General
Jiangsu	Wang Hua	Jiangsu Environmental	Deputy Director

Province		Protection Department	
Jiangsu Province	Mr. Jin	Jiangsu Environmental Protection Department	Director
Jiangsu Province	Zhai Ke	Jiangsu Forestry Bureau	Chief
Jiangsu Province	Chen Jianlin	Jiangsu Environmental Protection Department	Director
Jiangsu Province	Fan Luhuan	Jiangsu Environmental Protection Department	Staff
Yancheng City	Yu Wenhua	Yancheng Development and Reform Commission	Director
Yancheng City	Sun Qilu	Yancheng Finance Bureau	Deputy Secretary
Yancheng City	Luo Shoufu	Yancheng Environment Protection Bureau	Deputy Secretary
Tinghu District	Peng Daqing	Yancheng Forest Farm	Deputy Factory Director
Tinghu District	Zhai Jinting	Yancheng Forest Farm	Office Director
Tinghu District	Li Liucheng	Yancheng Forest Farm	Contact

6.2 The evaluation of institutional capacity

In order to guarantee the project implementation operating smoothly, The M&E group began to investigate the organization's management ability. The FF internal institutions mainly include finance section, production division, office of land management, comprehensive management office and office. The department staff and responsibilities are as follows: there are 2 people in the finance section, including a chief and a cashier; 3 people in the production division, including a chief, a deputy chief, and a clerk; 2 people in the office of land management, including a director and a clerk; one people in the comprehensive management office; 4 people in the office, including a chief, a deputy chief, and two clerk.

The organization of the project has the following abilities:

(i) Planning management ability. Formulate a unified project implementation plan and the annual plan, strict implementation of the project plan and not allowed to change. Make work plan and summary on time.

(ii) Process management ability. The management accordance with the basic construction procedure strictly, establishes the project legal person responsibility system. Strict implementation of the construction project bidding system and project supervision system to make sure the project component is openly, fairly and impartially.

(iii) Financial management ability. Strict implementation of basic financial management measures and set up special funds account. Unified control shall be used in the management so as to ensure earmarking of fund. No entity or individual shall occupy、misappropriate、embezzle、forcibly transfer it or deduct it for any payment of principal and interest, taxes, debts for any reason.

(iv) Information management ability. Establish electronic records and text file management system, equipped with professional staff and strengthen the regular

training for Managers. Introduction of technical personnel and perfect facilities, establish forest wildlife observation point, Regular data collection, classification and establishment of database.

7 Participation, Consultation and Grievance Redress

7.1 Participation

The objectives of consultation and participation are: (i) to formulate project-targeted policies and implement rules on resettlement according to national, provincial and municipal policies and regulations; and (ii) to prepare detailed Resettlement Plan and organize implementation works well in order to safeguard the right and interests of displaced individuals and achieve the goal of proper resettlement. Public participation and broad-based consultation are required at the stages of policy making, RP preparation and implementation.

At the project preparation stage of feasibility study, the JPMO has repeatedly sought suggestions and comments on land acquisition and resettlement from the governments, and mass organizations at all levels of Yancheng municipality, counties, and districts, and PIUs.

From July to September 2010, the JPMO and PIUs organized a preliminary investigation on house conditions and socio-economic status in the project affected area. The directors of PIUs and representatives of APs joined the investigation and provided their comments and suggestions. A survey on socio-economic status and public attitudes and social psychology was carried out in the meantime. The investigation took the public's willingness and attitudes of affected persons into consideration, which has been expressed thoroughly in project design and the Resettlement Plan.

In the future, the following steps and methods will be employed to encourage public participation and consultation:

RP disclosures. The project RP has been distributed to each PIU and to all APs. PMOs have also disclosed on local newspapers to announce the project sites.

To invite representatives of APs to join the resettlement activities. Representatives are from among the affected households. They will solicit suggestions and requirements from APs and communicate with related departments regularly. The PMOs will reply to their questions, and consider their advice and suggestions seriously. Representatives will be chosen to attend various stages of detailed investigation to reflect the interests and voice the opinions of affected people and to ensure fair and transparent resettlement procedures.

Consultation meetings: In the process of livelihood recovery, consultation meetings with affected persons, including women representatives (at least 30%), have been conducted to introduce current status, ask for their comments and suggestion, and make records for future consideration.

Further consultation with APs is necessary to reply and address their questions and requirements on livelihood recovery in time, seek to solve all the problems before the RP implementation. Each affected contractor/seasonal-worker and seasonal worker will have opportunity to discuss with resettlement implementation agencies at the stage of public participation.

7.2 Grievance Redress

In the preparation and implementation of RP, an appeal mechanism is established to provide the APs. The sequential steps are as follows.

Step 1. If they feel dissatisfied with resettlement plan, APs should appeal to PIUs in verbal or written form; Oral complaint should be documented by PIUs. PIUs should resolve the complaint in 2 weeks.

Step 2. If they are still unsatisfied with the decision in Step 1, APs should appeal to component office/management organization such as the local PMO and JPMO, who should make dispute decision in two weeks.

Step 3. If they are still unsatisfied with the decision in Step 2, they should appeal to the administrative authorities, such as Jiangsu Provincial Land Administration Bureau, with jurisdiction for arbitration according to the PRC Administrative Procedure Law.

Step 4. If they are still unsatisfied with the arbitration decision, they should prosecute to civil court according to the PRC Law on Civil Procedures.

The APs should appeal on any aspect of resettlement activity. The APs have been informed the above appeal steps through public meetings and other forms, so that they will be conscious of their legal right of appealing. JPMO and YPMO will organize all the comments and suggestions on resettlement action into information brief, and send it to relevant resettlement agencies for review and action. All the agencies will accept grievance and complain of APs at free of charge.

8 Conclusions and Suggestions

8.1 Conclusions

(1) **Project Progress:** Up to this monitoring, the feasibility study report of YFF financed by the ADB has been approved by Jiangsu Provincial Development and Reform Commission in November, 2011. The land use certificate application has been delivered to the Bureau of Land and Resources. The preliminary design (including drawings and budget) was submitted to Province Engineering Consulting Center in December 2013, the Center organized experts to evaluate the design scheme, and make some suggestions. In February 2014, the winning design unit made some modifications according to the experts' opinions and made explanations for unadjusted events. In May 2014, the design unit adjusted the preliminary design according to the requirements and Engineering Consulting Center organized experts to evaluate the design again and issued consulting evaluation report. Then YFF submitted the preliminary design and consulting report to the NDRC for approval, and the approval is expected to get in the third quarter of this year. The bidding supervision work was held in public in December 2012, and Jiangsu Province WEIye Engineering Supervision Consulting Limited Company won the bidding. All construction projects for YFF have not started.

(2) **Progress of the Resettlement:** The project APS mainly contain a population of 112 forestry workers, and 28 contracting households. The forestry workers resettlement plans is land transfer and land contract. Up to the monitoring, The 112 forestry workers all have completed the placement. 111 forestry workers have already signed a land transfer contract. They will receive 1066 yuan / month per person as compensation. And the pension insurance, medical insurance, work injury insurance, maternity insurance and unemployment insurance of forestry workers are paid by the YFF. 1 forestry worker has already signed a land contract and the land located in non-project area, a total of 22.9 mu. The contracts with contracting households have expired on Nov. 15th, 2013. The 28 contracting households all have accomplished land transfer. After the construction commences, recruitment of temporary jobs will give propriety to affected forestry workers and contracting households..

(3) **Compensation Standards:** The Resettlement Plan of YFF actual compensation standard changes. The forestry workers will receive 1066 yuan / month per person as compensation. And the pension insurance, medical insurance, work injury insurance, maternity insurance and unemployment insurance of forestry workers are paid by the YFF. The compensation for contracting households is that they still intercrop and hired as temporary employment with the forest as well as employment and training services, permanent employment.

(4) **Livelihood Restoration:** The forestry workers who choose land transfer will receive 1066 yuan per month per person as compensation. Available income is

12,792 yuan a year, while rural income of Sheyang County per capita is 10,377 yuan, according to the 2012 Statistical Yearbook of Jiangsu Province. The compensation is higher than the income of the local farmers, it is fully enough for forestry workers' livings. And the pension insurance, medical insurance, work injury insurance, maternity insurance and unemployment insurance of forestry workers are paid by the YFF.

(5)**The Organization:** The YFF project has sound organizations and abundant resettlement experiences. Different institutions are in charge of resettlement plan management, implementation and monitoring, and their coordination and organization work. These people are experienced in resettlement.

(6) **Public Participation:** The JPMO and PIUs organized a preliminary investigation on house conditions and socio-economic status in the project affected area. The directors of PIUs and representatives of APs joined the investigation and provided their comments and suggestions. A survey on socio-economic status and public attitudes and social psychology was carried out in the meantime. The investigation took the public's willingness and attitudes of affected persons into consideration, which has been expressed thoroughly in project design and the Resettlement Plan.

(7) **Complaints and Grievances:** The APs should appeal on any aspect of resettlement activity. The APs have been informed the above appeal steps through public meetings and other forms, so that they will be conscious of their legal right of appealing. JPMO and YPMO will organize all the comments and suggestions on resettlement action into information brief, and send it to relevant resettlement agencies for review and action. All the agencies will accept grievance and complain of APs at free of charge.

(8) **the Development of Women's rights:** The affected women will be well informed of the livelihood restoration activities, and be encouraged to participate in the public consultation and livelihood rehabilitation planning. The affected labour force of woman will be given the priority to get technical training so as to protect their economic status from harming.

8.2 Suggestions

(1) The proposed suggestion for local government is to further invest in the project: Since ADB project will occupy nearly 533.6 ha of land for large-scale cultivation of seedlings and other ecological construction, which would seriously reduce the project unit normal land contract revenue, at the same time the project unit will pay about 200 million yuan in wage costs of workers' land circulation. The project units may face with

the problem of fund shortage and this will have a strong impact on the construction and resettlement of the project.

(2) The proposed suggestion for project is to confirm the resettlement impacts further and ensure the resettlement of contracting households. To strengthen public participation and information disclosure in the resettlement work, transparent policy will ensure Aps to learn their own legitimate rights and interests and the recovery plan, thus to reduce the risk of the project.

(3) The proposed suggestion for project is to increase the speed of construction progress as the implementation is slower than arrangement in feasibility study report. After the project started construction, priority work required no special skills should be given to local Aps. In the project implementation process they should take appropriate security measures to guard against the emergence of engineering accidents. The project constructions should respect the time schedules of the local residents, and not disturb peoples' rest around.

(4) If temporary requisition land in the actual process is involved in the land, the project need to execute temporary requisition land compensation. The proposed suggestion for project is to try not to involve land outside the project-affected zone, to save the cost of resettlement.

(5) Taking into account of inflation and other factors, it is recommended that after the implementation of the land transfer, the adjustment reference should be corresponding to the local rural per capita income or GDP. Thus the land transfer funds should not always be 1066 yuan / month.

(6) To implement employment training and women's development protection to provide practical assistance to the affected person who are lack of labor skills. To ensure that vulnerable groups support the implementation of the policy, and earnestly protect the interests of vulnerable groups, meanwhile creating conditions for vulnerable groups to gain interests.

(7) To strengthen the institutional capacity building, it is recommended that all institutions arrange staff to do coordination and organization work for each component. They need to learn about immigration policies of the ADB, both theoretical study and visit are needed in the form of combination. They may go to the completed projects which are also financed by ADB, to enhance the efficiency and capacity of the institutions further.

亚洲开发银行贷款项目报告

江苏盐城湿地保护项目
移民安置监测评估报告
(盐城林场)

(二期监测报告)

河海大学中国移民研究中心

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1 项目基本情况

1.1 项目简要描述

1.1.1 项目背景

江苏省位于中国东部，东临黄海，海岸线长度 1,040km。全省湿地总面积约为 6000 万亩，占全省总面积的 39%，是亚洲最大的沿海湿地之一。其中包括 2160 万亩天然湿地和 3390 万亩人工湿地。盐城市地处江苏省北部，面积为 2250 万亩，人口 810 万，是江苏省第二大城市。盐城市境内有湿地 679.5 万亩，包括潮间带海涂、溪流、盐碱滩和芦苇滩，约占江苏省湿地面积的 70%。项目实施区域位于江苏省盐城市射阳县盐城林场境内（120°24'35"~30'35"E，33°33'30"~37'30"N），占地面积共计 554 公顷，占林场总面积（1900 公顷）的 29.2%。（原“射阳林场”现已更名为“盐城林场”，更名批复文件见附件 1、附件 2）

1.1.2 项目组成

盐城林场项目包含 4 个工程建设项目，分别为林栖鸟类生境恢复工程，苗木规模化培育工程，传统林业栽培示范工程，基础设施建设和监控与应急响应工程。通过生态工程措施恢复林栖鸟类生境；发展以本地物种为主，生物多样性丰富，生态效益显著的多目标林业经营模式，为区域绿色经济的发展建设生态基础设施，培育优质生态资源，促进盐城沿海地区的生态保护与可持续利用。

项目建设内容见表 1-1。

表 1-1 项目建设内容

序号	项目名称	项目内容
1	林栖鸟类生境恢复工程	恢复 185 公顷林栖鸟类生境。
2	苗木规模化培育工程	通过林相改造和生态工程措施，建设 285 公顷具有观赏和利用价值的乡土苗木规模化栽培区，发展可持续利用模式，兼顾生态服务功能与景观资源和药用植物资源价值。
3	传统林业栽培示范工程	通过林相改造建设 84 公顷传统林业示范区，提高系统多样性、稳定性和可持续利用价值。
4	基础设施建设和监控与应急响应工程	建设相关基础设施和监控与应急响应工程，为保障系统的自维护与后续林业经营提供支持。

1.2 项目影响

盐城林场建于 1959 年 9 月，位于黄海之滨，射阳的最南端，新洋港两侧，南北长 12.5 千米，东西宽 2.5 千米，版图 3 万亩。全场现有林地面积 23000 万亩，耕地面积 5000 亩，水面约 2500 亩，全场现有职工 270 多人，是省重点林场之一，同时列入全国沿海防护林组成部分。盐城林场的受影响区位于盐城市范围内，直接受益区为项目实施机构和射阳县，间接受影响区为亭湖区。截止到本次监测，盐城林场项目工程已开始实施，移民影响都已发生。

根据移民安置计划，盐城林场现有土地采取一年一发包的形式。受影响职工 112 人，家庭人口 336 人；外来承包户 28 户，家庭人口 103 人。林场为职工子女每年提供了 1500 元/人的新农保补助。职工达到退休年龄后，责任田将被收回，承包给其他的职工或者外来种植户，退休职工享受每月 1600-2000 元左右的养老金。除林场职工外，受影响的还有具有流动性的承包户，承包户的合同一年一签，由于项目还没有正式实施，承包土地的人员仍在更换，受影响的承包户名单仍处于不确定状态。所以，承包林场土地的职工或外来承包户存在很大的不确定性，外来承包户由于有其他更加好的生计和收入机会往往也会放弃继续承包耕地，因此更具有流动性，往往本年承包林场土地的外来承包户，下一年可能不再承包。据调查，外来承包林场土地的农户，在项目区以外同时拥有十几亩以上不等的耕地，其收入来源呈多样化。

盐城林场项目中所占用的土地均为国有土地，因此不涉及征地手续，只需要

进行相关的土地调整以及生计补偿。项目共使用土地 8089 亩，其中耕地 3313 亩，林间套种土地 289 亩，林地 1833 亩，其他土地（河道、建设用地）2654 亩，所使用土地涉及对原土地承包者的经济影响。受影响的林场职工 112 人，每人拥有 16 亩的责任田（耕地），共 1792 亩。责任田也是职工的生活田，林场不再支付职工工资，林场按职工责任田每亩每年 140 元收取承包费，土地耕种所得全部由职工支配。据调查，盐城林场剩余的耕地及林间套种土地 1521 亩，林场每年通过招标的方式承包给附近的农户，竞标得到土地的外来承包户与林场签订承包合同，按照土地的种植条件，收取 50-650 元/年·亩不等的承包费。一年承包合同到期后，土地将被林场统一收回，进行下一年的土地承包招标。

1.3 项目变更及其影响说明

因盐城林场项目申请立项至今已有 10 年之久，项目区土地状况甚至使用权属都已发生了较大的变化：如规划之初的空白田现已植树造林，原来集体的土地发包给个人或者单位承包经营等。这些因素将导致原有区域根本无法进行项目建设，因此为确保项目的顺利实施，必须在初设中对可研部分建设内容进行部分调整。截止本次监测，盐城林场 4 个工程建设项目计划在项目可行性研究的基础上均有少量调整，调整后具体工程内容如下：

（1）以灰棕鸟为代表的林栖鸟类生境恢复工程：拟在盐城林场东升管理区及林场场部南部恢复灰棕鸟等林栖鸟类生境约 185 公顷，主要包括地形和水系整理、鸟类栖息林地与滩地恢复等内容。该工程拟疏通水系总面积约 24 公顷，恢复鸟类栖息林地 99 公顷，修复滩地面积 2.4 公顷。

（2）苗木规模化培育工程：拟建设苗木规模化培育区约 285.2 公顷，主要包括闸南管理区东部建设杉类及常绿树种培育区 93.5 公顷、花灌培育区 49.4 公顷；方强管理区东南部和胜利管理区西北部建设乡土彩叶树种栽培区 142.3 公顷。

（3）传统林业栽培示范工程：主要包括 2 个子区域，分别位于东风管理区的东南部以及新洋港镇附近，面积分别为 47.6 公顷、35.9 公顷。主要对在田苗木进行森林抚育，并推广林下经济模式。

（4）基础设施建设和监控与应急响应工程：

基础设施建设工程包括：水系疏通工程、防火通道工程、涵洞及泵站建设工程；监控与应急响应工程包括：森林防火应急系统建设和森林病虫害预警系统建设等。

以上调整中仅有一处项目区选址发生变化：即苗木规模化工程中的乡土彩叶树种栽培项目从方强管理区的西北部调到东南部，面积未发生变化。调整的原因是项目实施过程中已经在原来计划的种植区进行了种植。其余皆是项目微调（初步设计与可行性研究报告工程项目变更的比较说明见附件 8）。以上调整基本不改变项目原有的产出和费用，移民影响没有变化。

1.4 非自愿移民外部独立监测

本项目非自愿移民安置的监测与评估工作由河海大学中国移民研究中心（National Research Center for Resettlement, NRCR）承担。

2013 年 11 月，在盐城市环境保护局、亭湖区环境保护局、盐城林场等相关单位的协助下，监测评估人员对项目的征地拆迁工作进行了第 1 次监测评估。同时对各相关部门进行了访谈，了解项目实施进度、征地拆迁与移民安置进度等。并从项目受影响人中抽取 28 户移民样本户进行了问卷调查，同时进行了深度访谈，对其生产生活水平进行调查分析。

2014 年 7 月，在盐城林场的协助下，监测评估人员对项目的征地拆迁及移民工作进行了第 2 次监测评估。同时对各相关部分进行了访谈，实地了解项目实施进度、征地拆迁与移民安置进度等。

2. 项目进度

2.1 工程进度

利用亚洲开发银行贷款盐城林场海滨生态林项目可行性研究报告已于 2011 年 11 月得到了江苏省发展和改革委员会办公室的批复，文号为《苏发改农经发【1702】号》。根据可行性研究报告，整个项目的建设过程如下图 4-1 所示。（对可研报告的批复见附件 3）

图 2-1 项目总体实施进度表

项目	第1年				第2年				第3年				第4年				第5年			
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
3.1 前期准备、勘察设计																				
3.2 鸟类栖息地恢复工程																				
3.3 传统林业栽培示范工程																				
3.4 苗木规模化培育工程																				
3.5 森林防火应急系统																				
3.6 森林病虫害预警系统																				
3.7 水系疏浚工程																				

截止到本次监测，亚行贷款盐城林场海滨生态林项目已完成下列工作：

（1）确定江苏省建信招投标有限公司负责项目全程的招投标工作。

（2）勘察设计招标工作于 2012 年 10 月 22 日完成并签订合同，中标单位为江苏省建筑园林设计院有限公司与江苏省交通规划设计院股份有限公司以联合体形式中标，中标金额为 130 万元（中标通知书见附件 6）。目前，初步设计方案经过多轮修改，于 2014 年 5 月份成功通过省工程咨询中心专家评审（技术咨询合

同见附件 7)，评估报告及初步设计方案正逐级上报发改委审批，预计今年第三季度可获得省发改委批复。

(3) 监理招标工作于 2012 年 12 月 18 日完成并签订合同，中标单位为江苏伟业建设工程监理咨询有限公司，中标金额 81 万元（中标通知书见附件 6）。

(4) 省建信公司和设计单位已着手准备招投标文件。

目前，整个项目的工程建设还未动工。工程总体进程与可行性研究报告中的实施进度表相比，实施速度相对较慢，主要原因是项目工程设计耗时和审批耗时均超过原计划。

2.2 移民安置进度

根据移民安置计划，该项目的移民安置内容主要与土地及影响人口相关。盐城林场项目中所占用的土地均为国有土地，因此不涉及征地手续，只需要进行相关的土地调整以及生计补偿。主要涉及安置人口为林场职工 112 人，承包户 28 人。

林场职工的安置方式主要为土地流转，截止到本次监测，林场职工中 111 人已经签署土地流转合同，即 1776 亩土地已经收回，并实行了相应的补偿手续（土地流转协议见附件 4）；1 人已经签署新的土地承包合同，在项目区外承包 22.9 亩（土地承包合同见附件 5）；林场职工 112 人全部完成安置。参加土地流转的林场职工自愿放弃依赖土地的生产方式，将自身的劳动力投入工业生产或者服务业，同时每人从林场获得每月 1066 元人民币的生活补偿。截止到林场职工开始领取退休金，土地流转补助失效。具体的土地流转人数见表 4-1。项目区内职工岗位田部分调整到位，主要分两种情况解决：一是异地安排田块；二是土地反租流转，岗位田由林场反租，单位承担每职工 13000 元土地租金，逐月发放到职工个人银行账户。

林场外来承包户承包合同于 2013 年 11 月 15 日到期，28 人全部完成土地流转，项目工程建设开始实施后，临时岗位的招聘将优先考虑受影响职工与外来承包户。

表 2-1 移民安置进度情况

序号	管理区	土地流转	承包土地	未安置	总计
1	闸南管理区	10	1	0	11
2	东升管理区	66	0	0	66
3	方强管理区	0	0	0	0
4	东风管理区	9	0	0	9
5	胜利管理区	26	0	0	26
	总计	111	1	0	112

3 补偿标准及资金

根据法律框架的规定，结合江苏省及项目影响市实际情况，制订本项目各类影响补偿标准。

本项目不涉及农村集体土地征收及房屋拆迁情况，子项目不涉及农村土地征收和房屋拆迁问题。

本项目所使用的土地均为国家所有的土地，且土地使用权及其决定权为项目执行机构所有。本项目并不改变土地的所有权，不存在土地的征收问题。盐城林场项目用地范围内，虽然有 112 个林场职工和 28 个外来土地承包户所承包的土地受到影响，但是这些受影响林场职工只有土地的承包经营权；另外，林场将在项目用地影响发生之前，调整出其他数量相等、质量相似的土地给他们继续承包或者进行现金补偿。因此，本项目中，不存在对农村集体土地的征收，也不存在国有土地使用权的转让，根据中华人民共和国法律有关规定，不存在土地补偿问题。

3.1 临时占地补偿

根据可行性研究报告，本项目计划使用项目内的土地进行临时占地建设，因此不存在需要进行临时占地补偿的情况。

3.2 专项设施补偿

根据可行性研究报告，本项目实施范围内没有专项设施，因此不需要进行补偿。

3.3 补偿资金

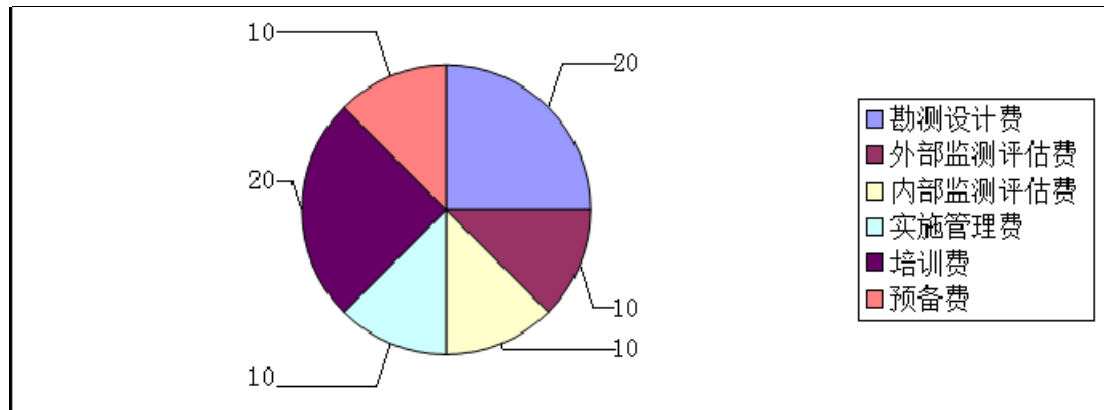
3.3.1 资金状况

本项目的移民总预算为 80 万元，移民总费用包括在整个工程的成本中。因

项目不涉及房屋的迁建及专项设施的迁移，不产生移民直接费用。

移民补偿安置预算中主要包括勘测设计费、外部监测评估费、内部监测评估费、实施管理费、培训费以及预备费。主要分配如下图 5-1。

图 3-1 移民补偿安置预算图



备注：饼图中各项数据的单位为：万元。

根据安排，本项目为沿海生态林保护工程，属于公益性项目，无直接收益。本项目费用由地方政府配套资金偿还。移民安置资金来源为配套资金，本项目配套资金及还款资金来源于盐城市亭湖区政府。根据分析，本项目配套及还款所需资金占亭湖区财政收入的比例在建设期及还款期内不超过 0.2%，亭湖区的财政收入可以保障本项目的还款来源。

林场职工将获得的 1066 元/月的补偿金，一年可获得 12792 元的收入，而根据 2012 年江苏省统计年鉴，射阳县农村人均纯收入为 10377 元，补偿金高于当地农民的收入，完全足够林场职工的生活。并且林场职工的养老、医疗、工伤、生育、失业等各项保险均由林场负责缴纳。

3.3.2 资金到位情况

根据可行性研究报告以及实地走访，了解到 2012 年签订土地流转协议的职工，该项目的补助资金 1066 元/人·月从 2012 年 11 月份开始发放，第一笔资金于 2012 年 12 月底之前打入为林场职工统一办理的一卡通存折；2013 年签订土地流转协议的职工，该项目的补助资金 1066 元/人·月从 2013 年 11 月份开始发放，第一笔资金于 2013 年 12 月底之前打入为林场职工统一办理的一卡通存折。

截止到本次监测，所有选择土地流转的受影响职工分为两批：第一批林场职

工于 2012 年签订合同，共 24 人，自 2012 年 11 月中旬开始，每月发放 1066 元，截止到 2013 年 11 月 15 日，共计发放资金 307,008 元；第一批林场职工于 2013 年签订合同，共 87 人，自 2013 年 11 月中旬开始，每月发放 1066 元，目前已发放 11 月补助，共计 92,742 元。截至本次监测，盐城林场已发放林场职工补助资金共计 399,750 元。各管理区具体补偿人员情况见表 5-1。

表 3-1 管理区土地流转到款情况

序号	管理区	土地流转	已安置	总计
1	闸南管理区	10	10	10
2	东升管理区	66	66	66
3	方强管理区	0	0	0
4	东风管理区	9	9	9
5	胜利管理区	26	26	26
	总计	111	111	111

3.4 资金管理

盐城林场主要由财务科负责日常财务管理工作，财务科共有 2 人，包括 1 名科长、1 名出纳。财务科在单位主管的领导下，负责组织财务科的日常工作，主要职责包括：1. 制定本单位的财会规章制度及财务管理办法，加强财务管理，并负责贯彻实施；2. 会计核算与监督，审查对外提供的会计资料，审查或参与拟定经济合同、协议及其他相关经济文件；3. 严格执行财务计划和预算，节约开支，考核资金使用效果，利用好财务数据及时为领导提供准确的数据；4. 编制、审核各部门年度各项费用指标计划，并严格按计划实施考核；5. 按照国家有关规定，妥善建立保管会计凭证、会计帐簿、会计报表和其他会计资料，认真做好会计档案的管理工作。

4 组织机构

4.1 项目组织机构

在本项目中，对各縣市子项目移民安置计划管理、实施和监测的主要机构及职责如下：

江苏省盐城湿地保护项目办（设在环保厅） 负责本项目移民安置活动的领导、政策制定、移民安置计划审定，定期编制内部监测报告，报亚洲开发银行。

县（区、市）级亚行项目办（设在环保局） 负责移民安置实施管理、移民资金管理，组织协调以及实施内部监督检查，

项目实施机构 负责移民安置调查、计划编制、实施。

国土部门 负责项目建设用地手续办理、审查、批准和实施协调、管理、监督、仲裁工作。

江苏省建筑园林设计院有限公司与江苏省交通规划设计院股份有限公司 负责工程项目的勘察设计及具体用地范围的确定。

河海大学中国移民研究中心 参与移民安置计划的准备咨询和提供相关技术支持。

江苏省建信招投标有限公司 负责项目全程的招投标工作。

江苏伟业建设工程监理咨询有限公司 负责工程项目建设的监理工作。

省、市项目办和实施机构安排了专职人员负责移民安置计划及实施的协调与组织工作。这些人员从事移民安置相关工作多年，经验丰富。这些移民工作人员简历详见表 4-1。

表 4-1 项目机构移民工作人员简况

省、市、 区（县）	姓名	工作单位	职务
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省、市、区（县）	姓名	工作单位	职务
江苏省	赵挺	江苏省环保厅	副厅长
江苏省	王华	江苏省环保厅	副处长
江苏省	金处长	江苏省环保厅	处长
江苏省	翟可	江苏省林业局	科长
江苏省	陈俭霖	江苏省环保厅	科长
江苏省	樊陆欢	江苏省环保厅	联系人
盐城市	于文华	盐城市发改委	主任
盐城市	孙其录	盐城市财政局	副局长
盐城市	骆守富	盐城市环保局	副局长
亭湖区	彭大庆	盐城林场	副厂长
亭湖区	翟金庭	盐城林场	办公室主任
亭湖区	李留成	盐城林场	联系人

4.2 机构能力评估

为了保证移民工作的顺利开展，监测评估小组对组织机构的管理能力进行考察，林场内部机构主要包括财务科、生产科、土管所、综治办、办公室。各科室人员及职责如下：财务科共有 2 人，包括 1 名科长、1 名出纳。财务科在单位主管的领导下，负责组织财务科的日常工作。生产科共有 3 人，包括科长 1 名，副科长 1 名，办事员 1 名。生产科在单位主管的领导下，负责组织林场的日常生产工作。土管所共有 2 人，包括所长 1 名，办事员 1 名。综治办共有 1 人。办公室共有 4 人，包括主任 1 名，副主任 1 名，办事员 2 名。

发现项目的组织机构主要有以下几方面的能力：

1 计划管理能力：统一制定项目实施计划和年度计划。严格执行项目计划，项目计划一经核准，必须严格执行，不得擅自变更。按时做好工作计划和总结，按季度和年度及时做好各项工作计划和工作总结报告。

2 过程管理能力：严格按照基本建设程序进行管理，建设项目法人责任制。严格实行建设项目招投标制和工程监理制，确保工程项目的“公开、公平、公正”以及质量的可靠性。建立严格的竣工验收制度，并接受上级的检查验收。

3 资金管理能力：严格执行基本建设财务管理办法，设置项目资金专用账户。实行统一管理、统一使用、单独记账的运作形式，确保专款专用，任何单位和个人不得以任何方式、任何理由挤占、挪用、截留、强行划转或抵扣各种货款

本息、税金、各类债务。

4 信息管理能力：建立健全电子档案和文本档案管理制度，配备专业人员，专人负责，专人管理，并加强对管理人员的定期培训。引进技术人才，完善设施设备；建立林场野生动植物观测点，定期采集数据，分类建立数据库。

5 公众参与、抱怨与申诉

5.1 公众参与

依据国家、省、市有关移民安置政策和法规，为维护受影响人的合法权益，减少不满和争议，针对本项目的性质，进一步制定好项目的移民安置有关政策和实施细则，编制好移民安置计划，做好实施组织工作，以实现妥善安置移民的目标，本项目在移民安置政策制定、计划编制和实施阶段，都将十分重视移民参与和协商，广泛听取移民的意见。

在项目准备阶段进行可行性研究时，省项目办公室已经多次征求盐城市和各县（市）、区的政府、人大、政协、群众团体、项目实施机构等项目移民安置工作的建议和意见。

2010年7—9月，省项目办公室和项目实施机构组织人力进行了本项目用地范围内房屋状况和社会经济初步调查，实施机构负责人、受影响户代表、参加了调查和协商，对项目方案及移民安置提出了意见，同时还进行了社会经济调查和公众意见及心理调查。在进行社会经济调查过程中，调查安置意愿、受影响户对项目的态度。在项目设计与移民安置计划编制中已予以充分考虑这些意见。

今后，还将采取下列程序和方式鼓励公众参与和协商：

(1) 移民安置计划公开

移民安置计划将于亚行通过后公布在省、市项目办，让受影响人和非政府组织能够查阅。盐城市项目办公室将在当地报纸上刊登公告予以说明移民安置计划查阅地点。

(2) 受影响户代表参加移民安置工作

受影响户选出代表，配合有关部门广泛征求受影响户的意见要求，听取合理化建议，定期沟通情况。对他们提出的问题给予答复，盐城市项目办对他们

提出的意见和建议给予认真考虑。

在移民安置实施工作中，有移民代表选择参加以充分反映移民的利益和意见，保证本项目移民安置工作的公正合理和透明度。

(3) 召开协商会议

在生计恢复过程中，召开由受影响户代表、妇女代表等参加的座谈会（其中女性代表应在 30%以上），集中介绍情况，继续听取他们的意见和建议，并对他们提出的建议和意见做记录，日后在项目实施过程中给予考虑和关注。

为了恰当及时地处理受影响户在生计恢复上的问题与要求，需要同受影响人进行进一步的协商与征询意见，使所有问题都能在移民计划实施前得到解决。移民安置实施机构将合理安排公众参与，使每个受影响承包户或临时工人都能得以机会在与移民安置实施机构就移民安置事宜进行讨论。

5.2 抱怨与申诉渠道

本项目在移民安置计划编制和实施过程中，建立了申诉机制。申诉分四个阶段：

- **阶段1:** 如果受影响人对移民安置计划感到不满，可以向项目实施机构提出口头或书面申诉；如果是口头申诉，则应由项目实施机构作出处理并书面记录。项目实施机构应在2周内解决；
- **阶段2:** 移民若对阶段1的处理决定仍不满意，可以在收到决定后向各项目区亚行项目办/管理机构提出申诉；各项目区亚行项目办/管理机构应在2周内作出处理决定；
- **阶段3:** 移民若对阶段2的决定仍不满意，可以在收到决定后，可根据《中华人民共和国行政诉讼法》，逐级向具有管辖权的行政机关申诉，进行仲裁。
- **阶段4:** 移民若对仲裁决定仍不满意，在收到仲裁决定后，可以根据民事诉讼法，向民事法庭起诉。

受影响人可以针对移民安置的任何方面提出起诉。上述申诉途径，将通过会

议和其他方式告知移民，使移民充分了解自己具有申诉的权利。江苏省项目办和盐城市项目办将各方面对移民工作的意见和建议整理成信息条文，由各级移民机构及时研究处理。各机构将免费接受受影响人的抱怨和申诉。

6 结论与建议

6.1 结论

(1) **项目进度：**截至本次监测，利用亚州开发银行贷款盐城林场海滨生态林项目可行性研究报告已于 2011 年 11 月得到了江苏省发展和改革委员会办公室的批复。初步设计方案（含图纸、预算）于 2013 年 12 月提交省工程咨询中心评估，该中心组织相关专家对设计方案进行了评估，并提出修改意见。2014 年 2 月，设计中标单位根据专家意见进行答疑，对部分修改意见在初设中适当调整，对不作调整的意见说明理由。2014 年 5 月份设计单位根据要求将初步设计方案调整到位，省工程咨询中心组织专家再次评审后出具了咨询评估报告。随后盐城林场将初步设计方案和评估报告上报发改委审批，有望于今年第三季度获得省发改委批文。监理招标工作于 2012 年 12 月经公开招标由江苏伟业建设工程监理咨询有限公司中标。但项目的建设用地审批手续还未着手办理，整个项目的工程建设还没有动工。

(2) **移民安置进度：**盐城林场项目共影响林场职工 112 人，外来承包户 28 人。其中林场职工已全部安置，已安置的人员中 111 人选择了土地流转的方式，由林场每月发放生活补助 1066 元，并且林场职工的养老、医疗、工伤、生育、失业等各项保险均由林场负责缴纳；1 人选择在项目区外承包新的土地，共计 22.9 亩。项目区内职工岗位田部分调整到位，主要分两种情况解决：一是异地安排田块；二是土地反租流转，岗位田由林场反租，单位承担每职工 13000 元土地租金，逐月发放到职工个人银行账户。外来承包户承包合同于 2013 年 11 月 15 日到期，28 人全部完成土地流转，项目工程建设开始实施后，临时岗位的招聘将优先考虑受影响职工与外来承包户。

(3) **补偿标准：**和《移民安置计划》相比，盐城林场实际采用的补偿标准有一定的改动。林场职工将获得的 1066 元/月的补偿金，并且林场职工的养老、医疗、工伤、生育、失业等各项保险均由林场负责缴纳。承包户的补偿方式仍按

照临时雇佣与林间套种以及就业培训服务、永久就业等。

(4) 生计恢复：选择土地流转的林场职工每月可获得 1066 元的纯收入，一年可获得 12792 元的收入，而根据 2012 年江苏省统计年鉴，射阳县农村人均纯收入为 10377 元，补偿款高于当地农民的收入，完全足够林场职工的生活。并且林场职工的养老、医疗、工伤、生育、失业等各项保险均由林场负责缴纳。

(5) 组织机构：项目机构健全，人员具有较为丰富的移民工作经验。省、市项目办和实施机构安排了专职人员负责移民安置计划及实施的协调与组织工作。这些人员从事移民安置相关工作多年，经验丰富。

(6) 公众参与：省项目办公室和项目实施机构组织人力进行了本项目用地范围内房屋状况和社会经济初步调查，实施机构负责人、受影响户代表、参加了调查和协商，对项目方案及移民安置提出了意见，同时还进行了社会经济调查和公众意见及心理调查。在进行社会经济调查过程中，调查安置意愿、受影响户对项目的态度。在项目设计与移民安置计划编制中已予以充分考虑这些意见。

(7) 抱怨与申诉：受影响人可以针对移民安置的任何方面提出起诉。通过申诉途径，将以会议和其他方式反馈移民，使移民充分了解自己具有申诉的权利。江苏省项目办和盐城市项目办将各方面对移民工作的意见和建议整理成信息条文，由各级移民机构及时研究处理。各机构将免费接受受影响人的抱怨和申诉。

(8) 妇女权益发展：受影响妇女可获得在生计恢复过程中可获得相关信息，并且可以参与到公众咨询和生计恢复中。项目运行过程中，优先提供保洁、保绿等岗位给受项目影响的妇女，确保其收入恢复。

6.2 建议

(1) 建议当地政府追加项目配套投入：由于亚行项目将占用项目单位近 8000 亩土地，来进行苗木规模化栽培和其他生态建设，这将严重减少项目单位正常的土地发包收入，同时项目单位每年增加流转职工的工资支出约 200 万元，极易出现亏空现象，给项目单位的经济运转带来巨大压力，进而影响工程实施及移民安置情况。

(2) 建议项目单位进一步核实项目移民影响量，对于承包户的安置方式需要进一步落实和适时调整。在移民安置工作中加强公众参与与信息公开，透明的移民政策将确保移民得知自己的合法权益及恢复计划，从而有利降低移民及项目的风险。

(3) 与可行性研究报告中的实施进度表相比，实施速度相对缓慢。建议在省发改委批复初步设计方案后，项目单位即可进行工程招投标等工作，加快工程实施进度，在工程开工建设之后，没有特殊技能要求的工作应当优先考虑雇佣受项目影响的原林场承包户及当地居民。在工程实施过程中应采取相应的安全措施，防范出现工程事故。工程建设应尊重当地居民的作息时间，不可打扰到周围人的休息。

(4) 关于项目临时征占用地，如果在实际过程中有牵涉到项目影响区以外的土地，需要进行临时征占地用的补偿。建议项目单位尽量不要涉及项目影响区以外的土地，节约移民安置费用。

(5) 考虑到物价上涨等因素，建议实行土地流转的补偿资金 1066 元/月能在以后实行调节，参照当地农村的人均收入或者 GDP 涨幅进行相应调整。

(6) 落实就业培训及妇女发展保护，对当地缺乏劳动技能的受影响人口提供切实的帮助。保证弱势群体扶持政策的落实，切实维护弱势群体的利益，同时创造的条件，为弱势群体提供可行的获取经济收益的机会。

(7) 加强项目单位及相关机构能力建设，建议对相关机构和人员进行亚洲开发银行移民政策与实施的培训，采用理论学习和参观交流相结合的形式，到已实施完成或正在实施的亚行贷款项目考察、学习，与移民及环境监测评估机构加强沟通，以进一步加强机构的办事效率和能力。