



# Social Monitoring Report

Project Number: 40685-013  
August 2015

## PRC: Jiangsu Yancheng Wetland Protection Project (YRBNNR)

Prepared by: National Research Center of Resettlement of Hohai University

For: Jiangsu Project Management Office

This social monitoring report is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management or staff, and may be preliminary in nature.

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.

**Asian Development Bank**

Asian Development Bank Financed

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

**(NO.3)**

**National Research Center of Resettlement of Hohai University**

**(NRCR)**

**Nanjing, China**

**August 2015**

External M&E Agency : NRCR of Hohai University

Person In Charge : Guoqing Shi

Staffs of the External Agency : Guoqing Shi, Qiulong Lv ,Qinfan Wu ,  
Mingyu Chen,Rong Wu

Writers of the M&E Report : Guoqing Shi, Qiulong Lv ,Qinfan Wu ,  
Mingyu Chen,Rong Wu

Address : NRCR of Hohai University,  
Nanjing, Jiangsu, 210098,China

Telephone : 0086 – 25 – 83786503

Fax : 0086 – 25 – 83718914

Email : gshi@hhu.edu.cn  
gshi1@126.com

## **CONTENT**

1	Description of the Project.....	1
1.1	Project Background and composition.....	1
1.1.1	Project Background.....	1
1.1.2	Project Components.....	1
1.1.3	Project Fund.....	2
1.2	External M&E.....	2
1.2.1	Range of External M&E.....	2
1.2.2	Contents of External M&E.....	2
1.2.3	Procedures of External M&E.....	2
1.2.4	Methods Adopted for External M&E.....	3
1.2.5	Report of External M&E.....	4
2	Resettlement Plan Review.....	5
2.1	Affected Persons.....	5
2.2	Special Facilities and Ground Attachments.....	5
3	Project Progress.....	6
3.1	Project Construction Progress.....	6
3.2	Project Resettlement Progress.....	6
4	Production and Livelihood Rehabilitation.....	8
4.1	Rehabilitation Programme Plan Review.....	8
4.2	The Actual Rehabilitation Plan.....	8
5	Legal Framework and Policies.....	10
5.1	PRC Regulatory Requirements.....	10
5.2	ADB's Policy on Involuntary Resettlement.....	10
5.3	The related laws and regulations.....	11
6	Implementation Organization.....	12
6.1	Institutional Arrangement.....	12
6.2	The evaluation of institutional capacity.....	13
7	Participation, Consultation and Grievance Redress.....	14
7.1	Participation.....	14
7.2	Grievance Redress.....	15
8	Conclusions and Suggestions.....	16
8.1	Conclusions.....	16
8.2	Suggestions.....	16

## **LIST OF TABLE**

Table 6-1: Information of Project Staff.....	12
Table 7-1: Laws and Regulation Public Plan.....	15

## **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**

The monitoring began on August 11, 2015, and ended on August 15, 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.

In August 2015, the 4th External M&E the third phase survey is executed.

From December 2012 to December 2016, the External M&E report will be submitted every year.

## **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.

The monitoring found that the progress of sub-items are as follows:

The fire, water, decorative works of Wetland Biodiversity science education center construction project has been completed and exhibition and intelligent engineering has been completed half of the amount.

Wetland management and protection, monitoring, research, and systems management projects: 80% of community center has been completed and the internal and external decoration has began; The main project of Environmental Education Center has been completed; The construction of Xing nong rural central station has been completed; In addition, a number of the river canal point guard and the environmental monitoring stations has completed.

Wetland restoration and reconstruction works: small cycles terrain modeling completed earthwork 540,000 m<sup>3</sup>, the completion of a cycle terrain shaped earthwork 150,000 m<sup>3</sup>, and cubic meters west bank completed 90,000m<sup>3</sup>.

#### **3.2 Project Resettlement Progress**

The YRBNNR affected one household (with 5 family members) who has contracted 14,918.8 mu<sup>1</sup> 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.

In 2013, Linsong Xu has been returned 1600 mu<sup>2</sup> 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 to judgment although the court has made a final decision .The 15 seasonal workers are still working in fishpond getting normal salaries.

The monitoring continues to track and monitor on the remaining total 13,318.8 mu (1,600 mu previously refunded) ponds refund issue. The monitoring found that, in April 2015, under

---

<sup>1</sup> 1 mu = 1/15 ha.

<sup>2</sup> 1 mu = 1/15 ha.

the supervision of the relevant law enforcement authorities, Linsong Xu the original ponds contractor returned all remaining ponds (totaling 13,318.8 acres) to the Yancheng Rare Birds National Nature Reserve. For original fish, shrimp, crabs and other aquaculture in the fish ponds, he has all salvage away. Some simple houses, facilities which build nearby ponds were dismantled in accordance with contract requirements, and the waste bricks and other building materials, was freely dispose by Linsong Xu. The original 15 hired workers, have been properly resettled, specific resettlement program will be described in detail in the next chapter.

At present, the still remaining question is that Linsong Xu used own money build a culvert fish ponds for regulating water level inside the ponds. About the facilities and equipment, Rare Birds Protected Areas are in consultation with Linsong Xu in compensation, its specific compensation amount, contracts, etc., continue to be concerned in the next monitoring.

## **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 final judgment result was that, Linsong Xu needed to follow the fishpond contracting agreements according to the established contracts, return the fishpond after the expiration of the contract.

The monitoring found that resettlement programs of 15 fish ponds workers are as follows: (i) Linsong Xu is come Dafeng Country ,he still has contracted fish ponds in Dafeng, Sheyang and other places, now 9 workers has continue to work in his other fishing ponds. (ii) Linsong Xu also has an aquatic feed factory, the main production of aquatic feed was for his own fish ponds previously, and now he expand the production scale, the production of aquatic feed sold to other aquaculture farmers in and around Yancheng, there are six workers to work there . To ensure that all workers can get proper pond placement, and prevent them from losing their jobs, Rare Birds and Protected Areas proposed alternate resettlement programs: (i) During construction, the construction can provide some wroks which the wage is about 120-150 yuan / day, about 3000 yuan / month, these jobs are mainly some physical trades in construction site ; (ii) After the project is completed, the property company will recruit some new cleaning staff, security guards, the salary treatment will be slightly higher than the average local level, such positions may also be provided to these ponds workers. Once these workers encounter difficulties in the future, they can always come to the post which Rare

Birds Protected Zone arranged.

## **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 been shown in Table6-1.

**Table 6- 1: Information of Project Staff**

<b>Province/City</b>	<b>Name</b>	<b>Department</b>	<b>Post</b>
Jiangsu Province	Ting Zhao	Jiangsu Environmental Protection Department	Deputy Director General
Jiangsu Province	Ming Liu	Jiangsu Provincial Environmental Protection Office and Provincial Project Office	Deputy 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 Protection Bureau	Deputy Secretary
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 Bureaus, 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 a 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) The 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.

(2) Linsong Xu have been fully refunded 14,918.8 mu of fish ponds and demolished the self-built houses according to the agreement signed.

(3) The affected 15 workers was hired in other ponds and factory of Linsong Xu, their life has not been affected, and The Rare Birds Protected Zone provides a backup resettlement programs, to make sure that it will not cause unemployment.

(4)The Rare Birds Protected Zone is consultation with Linsong Xu in compensation of culvert which he built by himself.

(5)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.

(6)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.

(7) 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) Continue to focus on the issue of culvert compensation to ensure that both sides can be satisfied with reasonable results

(2)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.

(3)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.

(4) 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 agreementst. Moreover, it is advantageous to establish the archives to provide basic information for project completion acceptance and External M&E.