

Updated Resettlement Plan

October 2011

PRC: Xinjiang Altay Urban Infrastructure and Environment Improvement Project–Burjin County

Prepared by Burjin County Construction Bureau for the Asian Development Bank.

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ADB-financed Xinjiang Altay Urban Infrastructure and
Environment Improvement Project

**Resettlement Plan for Burqin County
Municipal Infrastructure and
Environmental Improvement Project,
Updated Edition**

Burqin County Construction Bureau

October 2011

Updated Explanation for Burqin County Migration Resettlement

The updated Migration Resettlement Plan report is updated based on the final design and detailed practicality survey. Because the Migration Resettlement Plan covers multiple sub-projects, involving more than one contract packages, so this updated Migration Resettlement Plan was updated according to sub-project which was constructed in 2011, namely, road construction and water supply project. The constructed road including Huancheng Road section 1 (Baihualin Road –Shenhu Road), The original road as earth road, with the width of 4.5 m, and the width of red line design is 5 m, so having no land acquisition or house demolition; Huancheng Road section 2 (Huancheng Road section 1 – West Bridge), The original road as earth road, with the width of 4 m, and the width of red line design of walking way is 4 m, so having no land acquisition or house demolition. Land acquisition for the water purifying plant and pumping station will affect one household with 6 persons in Sartlic Village, and 16.65 mu pasture land (Class 2, Grade 4) will be acquired, including 11.4 mu (including administrative area) for the water purifying plant and 5.25 mu for the access road. Therefore, the Migration Resettlement Plan only updated corresponding contents related to water supply in the Report, including land acquisition of project and migration impact, compensation, livelihood restoration and placement, budget, implementation schedule and other aspects. Other sub-projects, which were not within the construction scope of 2011, will be gradually updated in line with the implementation time.

The sub-project which was constructed in 2011 includes road construction and water supply project. According to the the final design and detailed practicality survey, there is no land acquisition or house demolition affected by road construction, but there is one household with 6 persons who are minority in Sartlic Village affected by water supply project, and 16.65 mu pasture land (Class 2, Grade 4) will be acquired, Aterhan family had 12052 mu of pasture before requisition, so grassland loss rate will be 0.14%, a small impact to the family.

Grassland compensation standard is on the basic on Notice on Adjusting Charge Standard of Compensation and Resettlement Fees in Grassland, [2010] 2679 document issued by XUAR Development and Reform Commission and Ministry of Finance, this updated edition of RM only relate to land acquisition affected by water supply project, the land acquisition or house demolition affected by the other sub-projects have not updated which will be gradually updated in line with the implementation time.

Compensation standard in grassland shall be 6-10 times of average annual output value of three years of the grassland prior to the requisition; as for resettlement subsidy standard, similarly, shall be 4-6 times of average annual output value of three years of the grassland prior to the requisition, and shall not exceed 15 times of that to the maximum. Abovementioned grassland compensation fee and resettlement fees shall not exceed 30 times of the average annual output value three years of the grassland prior to the requisition.

Administration departments in Xinjiang Uygur Autonomous Region, along with departments in charge of price and finance issue, should further improve periodic evaluation and adjustment mechanism on grassland value, to regularly assess the value of grassland and determine the compensation base of grassland. The mechanism shall be promulgated and implemented after getting the approval from government of Xinjiang Uygur Autonomous Region.

Requisition standard of all the grassland in this project will be in accordance with [2010] 2679 document Notice on Adjusting Charge Standard of Compensation and Resettlement Fees in Grassland.

Affected by the water supply project, 16.65 mu of pasture of Aterhan family in Sartlic village will be requisitioned, Aterhan family had 12052 mu of pasture before requisition, so grassland loss rate will be 0.14%, a small impact to the family. Burqin County Grassland Supervision Office assessed the value of affected grassland, and confirmed it is Third Class Seven Level grassland, according to regulations in Article 39 of Grassland Law of P. R. China,

Article 9, Article 10 and Article 11 of Management Measures on Examination and Approval of Grassland Requisition by Ministry of Agriculture, [2010] 2679 document by Xinjiang Uygur Autonomous Region Development and Reform Commission and Ministry of Finance, affected person Aterhan shall be compensated with grassland compensation fees and grassland resettlement fees. The grassland average annual production of three years prior to the acquisition was assessed as 69 Yuan / mu(i.e. compensation base is 69 Yuan / mu), grassland compensation standard shall be 10 times of average annual output value of three years of the grassland prior to the requisition; resettlement subsidy standard shall be 6 times of average annual output value of three years of the grassland prior to the requisition. In the light of this calculation method, Aterhan shall be paid 11,500 Yuan grassland compensation fee and 6,900 Yuan grassland resettlement subsidy fee.

Through negotiation, Aterhan hope get cash compensation, he will invest other project or enlarge Stockbreeding, and he has signed Grassland Compensation Requisition Agreement with Project Office. Aterhan actively supported the Project for the simple reason he think the construction of water supply project will improve drinking water security situation. Besides, Xinjiang Uygur Autonomous Region Development and Reform Commission, Ministry of Finance issued [2010] 2679 document, compensation standards in this new document are higher than that in previous document. He believes compensation is reasonable. He also hopes the Project could be completed in the earliest time so as to improve the Burqin County drinking water situation.

October 2011

Burqin County Construction Bureau

Letter of Commitment

The Burqin County Construction Bureau (“BCCB”) has applied for a loan from the Asian Development Bank (“ADB”) for the Burqin County Municipal Infrastructure and Environmental Improvement Project. Therefore, this project must be implemented in accordance with ADB’s Social Safeguard Policy. This resettlement plan (“RP”) represents a key requirement of ADB and becomes a basis of the land acquisition, house demolition and resettlement work of this project. This RP complies with the applicable laws and regulations of the People’s Republic of China (the “RPC”), Xinjiang Uygur Autonomous Region (“XUAR”) and Burqin County. In order to complete the resettlement work more effectively, this RP includes some additional measures, and implementation and monitoring arrangements.

The Burqin County ADB Project Management Office hereby acknowledges the contents of this RP and warrants that land acquisition, house demolition, resettlement, compensation and budgeting activities under the Project will be carried out according to this RP. This RP is updated based on the final design and detailed practicality survey. If the final scope of works of the Project differs from that described in the FS Report and has any material impact on this RP, this RP will be revised accordingly. Such revised RP will be approved by ADB before implementation.

Burqin County ADB Project Management Office

_____ (Signature)

_____ (Date)

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Abbreviations

ADB	-	Asian Development Bank
CPC	-	Communist Party of China
EMDP	-	Ethnic Minority Development Plan
FS	-	Feasibility Study
GMSS	-	Grassland Monitoring and Supervision Station
M&E	-	Monitoring and evaluation
MLS	-	Minimum living security
BCCB	-	Burqin County Construction Bureau
BCG	-	Burqin County Government
BCLRB	-	Burqin County Land and Resources Bureau
HDMO	-	House Demolition Management Office
PMO	-	Project Management Office
PRC	-	People's Republic of China
RP	-	Resettlement Plan
TA	-	Technical assistance
XUAR	-	Xinjiang Uygur Autonomous Region

Units

Currency unit	=	Yuan (CNY)
1.00 yuan	=	\$0.15
1 hectare	=	15 mu

Executive Summary

A. Overview of the Project

1. In order to improve the living environment of the Burqin County town and the urban image of the county, and adapt to socioeconomic development, the Burqin County Government (executing agency, “BCG”) plans to use part of ADB lending to start the Burqin County Municipal Infrastructure and Environmental Improvement Project (the “Project”) that includes road construction, water supply, sewage treatment and refuse disposal in the county town. The Project is a subproject of the ADB-financed Xinjiang Municipal Infrastructure and Environmental Improvement Project.

(1) Road construction: reconstruction, expansion and construction of 14 roads in the county town, with a total length of 19,396.85m, together with lighting, landscaping and traffic marking facilities, and maintenance equipment; (2) Water supply: construction of a water distribution network of 34.8km and a 9,000m³/d water purifying plant; (3) Sewage treatment: construction of sewer lines with a total length of 11,470m, 196 drainage manholes and a sewage lifting pumping station; construction of a 6,000m³/d sewage treatment plant; (4) Refuse disposal: construction of a 38t/d refuse disposal plant and operating equipment, 20 refuse collection points, 303 ashbins, 10KV power lines of 0.3km and an access road of 0.95km.

B. Project impacts

2. The updated Migration Resettlement Plan report is updated based on the final design and detailed practicality survey. Because the Migration Resettlement Plan covers multiple sub-projects, involving more than one contract packages, so this updated Migration Resettlement Plan was updated according to sub-project which was constructed in 2011, namely, road construction and water supply project. The constructed road including Huancheng Road section 1 (Baihualin Road –Shenhu Road), The original road as earth road, with the width of 4.5 m, and the width of red line design is 5 m, so having no land acquisition or house demolition; Huancheng Road section 2 (Huancheng Road section 1 – West Bridge), The original road as earth road, with the width of 4 m, and the width of red line design of walking way is 4 m, so having no land acquisition or house demolition. Land acquisition for the water purifying plant and pumping station will affect one household with 6 persons in Sartlic Village, and 16.65 mu pasture land (Class 2, Grade 4) will be acquired, including 11.4 mu (including administrative area) for the water purifying plant and 5.25 mu for the access road. Therefore, the Migration Resettlement Plan only updated corresponding contents related to water supply in the Report, including land acquisition of project and migration impact, compensation, livelihood restoration and placement, budget, implementation schedule and other aspects. Other sub-projects, which were not within the construction scope of 2011, will be gradually updated in line with the implementation time. The Project will affect 2 communities and 5 villages, and permanent land acquisition and house demolition will affect 204 persons, including 151 minority persons, accounting for 74.02% of the affected population. Temporary land occupation will affect 84 households and 250 persons.

3. Houses of 5,238.07 m² will be demolished. Urban residential houses of 3,608.07m² will be demolished, affecting 24 households with 70 persons, including 5 minority households with 17 persons. An enterprise and a commercial store will also be affected, with a demolition area of 1,510 m² and 120 m², respectively. 280.51 mu of collective land will be acquired permanently, all being pasture land, affecting 35 households with 134 persons.

4. Pipe network laying will occupy 182.69 mu of pasture land of 5 villages temporarily, affecting 84 households with 250 persons temporarily.

5. At the FS Report stage, the impacts of land acquisition have been minimized in close consultation with local officials and communities/villages. An optimum option has been selected through comparison of some options. The RP has been prepared in accordance with the relevant state, provincial and municipal land policies, and ADB’s Policy on Involuntary

Resettlement. The RP is based on the FS Report, and will be updated and improved based on the detailed design.

C. Policy framework and entitlement

6. According to the land laws and policies of the PRC and ADB Safeguard Policy Statement 2009, the resettlement principles of the Project are: (1) (1) compensation and entitlements provided are based at replacement costs and must be adequate to allow those affected to at least maintain their pre-project standard of living, with the prospect of improvement;; (2) The affected people are given compensation and assistance in resettlement whether legal title is available or not; (3) If the land available to everyone is insufficient to maintain his/her livelihood, replacement in cash or in kind and other income-generating activities are provided for the lost land; (4) The affected people fully understand their entitlements, the method and standard of compensation, the livelihood and income restoration plan, and the project schedule, and participate in the implementation of the Resettlement Plan; (5) No land should be acquired before the affected people are satisfied with the compensation and resettlement (plan).; (6) The executing agency (BCG) and an independent agency / third party should monitor the compensation, relocation and resettlement operations; (7) The vulnerable groups (including women) are provided special assistance or treatment so that they lead a better life, and all affected people should have an opportunity to benefit from the project; (8) The Resettlement Plan is consistent with the master plans of the affected counties and towns.; and (9) The resettlement expenses are sufficient to cover all affected aspects.

D. Compensation and resettlements

7. As for grassland compensation standard, Xinjiang Uygur Autonomous Region Development and Reform Commission, Ministry of Finance issued [2010] 2679 document Notice on Adjusting Charge Standard of Compensation and Resettlement Fees in Grassland, a new charge standard will be implemented based on it. Compensation standard in grassland shall be 6-10 times of average annual output value of three years of the grassland prior to the requisition; as for resettlement subsidy standard, similarly, shall be 4-6 times of average annual output value of three years of the grassland prior to the requisition.

8. The final compensation rate for house demolition will be appraised by a real estate appraisal and surveying company. The households affected by house demolition will receive a moving subsidy, a transition subsidy and a reward, etc. The affected households may select a resettlement house or cash compensation as they wish.

E. Organization responsible

9. The implementing agency will be responsible for project implementation, land acquisition, house demolition and coordination. The land acquisition and house demolition management office will consist of officials from the land administration and urban construction authorities. All affected sub-district offices and village committees will supply one member to the house demolition management office to carry out house demolition, resettlement and income restoration activities, etc.

F. Public participation

10. In August and September 2009, a survey was made of the physical indicators of the affected population, houses, land and special facilities, as well as the affected residents and rural collective economic organizations. During May 11-13, 2010, the ADB resettlement TA experts, and the relevant staff of the RP preparation agency and County PMO conducted a supplementary survey of the physical indicators of the affected population, houses, land and special facilities, as well as the affected residents and rural collective economic organizations, and a public opinion and advice survey of the people and entities affected by the Project. These surveys were designed to make the implementing and design agencies clear about the local conditions and the concerns of the affected people. Information on the affected people was collected through some meetings, involving BCG, the County PMO, urban sub-district offices,

land administration bureau, civil affairs bureau, women's federation, urban planning bureau, affected people, design agency and consultants. In July 2011, PMO, streets official, village official review the affected people and physical quantity, confirmed the compensation agreement which includes influence of the final amount of land acquisition and house demolition.

On different occasions, such as meeting, rural household survey and villager team focus group discussion (FGD), the affected people have been involved in the preparation of the RP, and their concerns and opinions have been incorporated into the RP.

G. Appeal

11. The affected people may file an appeal about any aspect of the Project, such as land acquisition, resettlement, income restoration and compensation. The RP defines the appeal procedures, which will be explained to the affected people at public meetings convened by the implementing agency and communities before land acquisition and house demolition.

H. Costs

12. According to the FS Report and subsequent surveys, the resettlement costs for land acquisition and house demolition are about CNY12.2315 million. The resettlement costs will be subject to adjustment during project implementation. The implementing agency will ensure that sufficient resettlement funds will be available to address all resettlement issues.

I. Schedule

13. Land acquisition and resettlement will begin in January 2011 and end in June 2013. Construction will not commence only when the affected people have been compensated in full.

J. Monitoring and reporting

14. The implementation of the RP will be subject to internal and external monitoring. The implementing agency is responsible for internal supervision, and will prepare reports regularly for submission to ADB to reflect resettlement progress, with focus on compliance with the RP and compensation policies. The County PMO will employ an independent agency to conduct external monitoring and evaluation (M&E), and prepare an evaluation report on resettlement progress, compensation fees disbursement and other measures to ensure that the affected people can maintain their standard of living without being affected adversely by the Project.

1 Overview of the Project

1.1 Background of the Project

15. The Project is a subproject of the ADB-financed Xinjiang Altay Urban Infrastructure and Environment Improvement Project.

16. In order to facilitate the implementation of the ADB-financed Xinjiang Altay Urban Infrastructure and Environment Improvement Project, the Chinese government has requested ADB to provide TA in the application for ADB financing for this project. The ADB technical assistance (TA) mission made a field investigation of the affected areas in Altay, Xinjiang during June 10-17, 2009, and entered into the Memorandum of Understanding for Provision of Technical Assistance for the ADB-financed Xinjiang Altay Urban Infrastructure and Environment Improvement Project with the competent authorities of XUAR.

17. The Burqin County town is located in the north of XUAR, the northeast of Ili Kazak Autonomous Prefecture, the south range of the Altay Mountain, on the delta at the junction of the Irtysh and Burqin Rivers, between north latitude 47°22'-49°11' and east longitude 86°25'-88°06', connected to Habahe County, Jimunai County, Beitun City and Altay City by highways, being a traffic hub in the western Altay region. The famous Kanas Natural Reserve is located in this county. The advantaged natural environment and geographic location, and unique folk customs provide the county with great potential of urban development.

18. Internationally, Burqin County is located at the northwest tip of China, and borders Kazakhstan, Russia and Mongolia. With the deepening of the economic cooperation between China and Central Asia and Russia, especially with the opening of the "China-Russia direct transport corridor", sub-regional economic cooperation will provide extensive space for cooperation between the Altay region and neighboring countries in resources, energy, agriculture, industry and tourism, etc.

19. It has become an inevitable choice for BCG to grasp opportunities to speed up the urban infrastructure and environmental improvement of Burqin County, expand opening up, develop advantageous resources, develop the local economy and improve people's standard of living in the favorable policy and investment environment.

20. The Project will:

- Promote the economic cooperation between Burqin County and the neighboring countries, and trade and cultural communications between Burqin County and the Central Asian countries, and drive the economic development of Burqin County;
- Improve the urban living and ecological environment, and promote the ecological, sightseeing and holiday tourism of Burqin County; and
- Improve the urban road traffic network, ecological environment, economic level and people's standard of living of Burqin County by constructing water supply, sewage treatment and refuse disposal facilities.

1.2 Overview of the Project

The Project consists of the road construction, water supply, Sewage treatment and refuse disposal components, as shown in Table 1-1.

Table 1-1 **Summary of project components**

Component		Brief description
Road construction	Urban road construction	Construction, reconstruction and expansion of 11 roads with a total length of 15,135.17m; including 5 primary roads of 4,539.57m, 5 secondary roads of 4,076.73m and a branch road of 6,518.87m, together with lighting, landscaping and traffic marking facilities, and maintenance equipment
	Economic development zone (EDZ) road construction	Construction of a primary road of 1,607.33m, 2 secondary roads of 2,654.35m, together with lighting, landscaping and traffic marking facilities, and maintenance equipment
Refuse disposal		Construction of a 38t/d refuse disposal plant and operating equipment, 20 refuse collection points, 303 ashbins, 10KV power lines of 0.3km and an access road of 0.95km
Water supply		Construction of a water source, a water distribution network of 34.8km (including two segments, from the water source to the water purifying plant, and from the water purifying plant to the county town water distribution network) and a 9,000m ³ /d water purifying plant
Sewage treatment		Construction of sewer lines with a total length of 11,470m, in which DN300 is 5,660m long, DN400 745m long, DN500 440m long, DN600 1,625m long and the pressure flow line d300PE 3,000m long; 196 drainage manholes and a sewage lifting pumping station; construction of a 6,000m ³ /d sewage treatment plant

21. (1) **Road and supporting facilities construction** This component consists of road construction in the Burqin County town and EDZ, and supporting facilities, and involves reconstruction, expansion and construction of 14 roads, with a total length of 19,396.85m: construction, reconstruction and expansion of 11 roads with a total length of 15,135.17m in the county town; including 5 primary roads of 4,539.57m, 5 secondary roads of 4,076.73m and a branch road of 6,518.87m, together with lighting, landscaping and traffic marking facilities, and maintenance equipment; construction of a primary road of 1,607.33m, 2 secondary roads of 2,654.35m in EDZ, together with lighting, landscaping and traffic marking facilities, and maintenance equipment. See Table 1-2. So far there are no estimates of land acquisition and resettlement impacts in the EDZ. The county government will ensure that same standards of compensation and rehabilitation will also be applied for the EDZ.

Table 1-2Size of proposed urban roads

No.	Road	Length	Rating	Nature	Width	Driveway width	Facility belt width	Green belt width	Sidewalk width
		(m)			(m)				
1	Youyifeng Road	675.96	Primary	Expansion	29	15	2×0.5	2×3.5	2×3.0
2	Yueliangwan Road	1474.69	Secondary	Reconstruction	26	12	2×0.5	2×3.5	2×3.0
3	Shuanghu Road North	1032.74	Secondary	Expansion	30	12	2×0.5	2×3.5	2×5.0
4	Yingbin Road	1134.13	Primary	Expansion	24	——	——	——	2×4.0
5	Wolongwan Road	826.6	Primary	Expansion	30	15	2×0.5	2×4.0	2×3.0
6	Hebin Road	1083.93	Secondary	Reconstruction	23	9	——	2×4.0	2×3.0
7	Kanasi Road	210.2	Primary	Expansion	12	12	——	——	——
8	Wucaitan Road	1692.68	Primary	Reconstruction	26	12	2×0.5	2×3.5	2×3.0
9	Huancheng Road	6518.87	Branch	New	5, 4	5, 4	——	——	——
10	Shenxianwan Road	108.8	Secondary	New	26	12	——	2×3.0	2×4.0
11	Baihuayuan Road	376.57	Secondary	New	26	12	2×0.5	2×3.5	2×3.0
12	Xingjiang Road	1302.14	Secondary	New	30	8	——	——	——
13	Xingsheng Road	1352.21	Secondary	New	38	15	——	——	——
14	Minzu Avenue	1607.33	Primary	New	48	23	——	——	——
Total		19396.85							

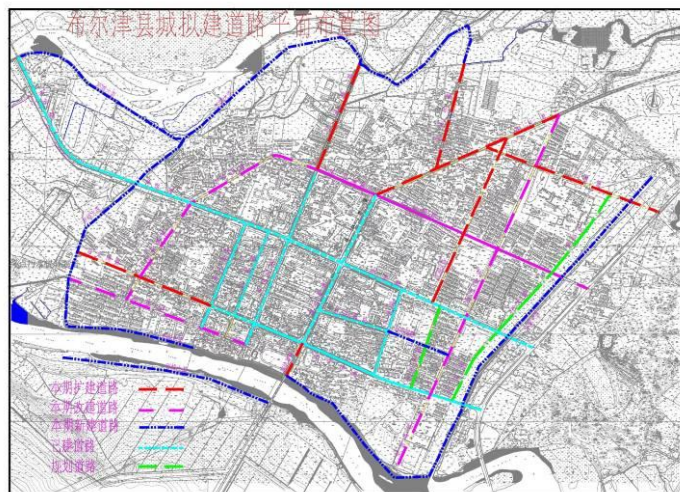


Figure 1-1 Layout plan of road reconstruction and expansion of the Burqin County town



Figure 1-2 Layout plan of proposed roads in the Burqin County Economic Development Zone



Figure 1-3 Photo of existing Shuanghu Road North



Figure 1-4 Photo of existing Baihuayuan Road

22. **(2) Water supply** Construction of a water source, a water distribution network of 34.8km (including two segments, from the water source to the water purifying plant, and from the water purifying plant to the county town water distribution network) and a 9,000m³/d water purifying plant. The sites of the water source and water purifying plant are shown in Figures 1-5 and 1-6.



Figure 1-5 Site of proposed water source

Figure 1-6 Site of proposed water purifying plant

23. **(3) Sewage treatment** Construction of sewer lines with a total length of 11,470m, in which DN300 is 5,660m long, DN400 745m long, DN500 440m long, DN600 1,625m long and the pressure flow line d300PE 3,000m long; 196 drainage manholes and a sewage lifting pumping station; construction of a 6,000m³/d sewage treatment plant. The site of the new sewage treatment plant (oxidation pond) is shown in Figure 1-7 and 1-8.



Figure 1-7 Photo of existing sewage treatment plant (oxidation pond)

Figure 1-8 Site of proposed sewage treatment plant (oxidation pond)

24. **(4) Refuse disposal** Construction of a 38t/d refuse disposal plant and operating equipment, 20 refuse collection points, 303 ashbins, 10KV power lines of 0.3km and an access road of 0.95km



Figure 1-9 Photo of existing refuse disposal plant Figure 1-10 Site of proposed refuse disposal plant

1.3 Socioeconomic benefits of the Project

25. The main components of the Project include road construction, water supply, sewage treatment and refuse disposal. The Project will improve the road network, water supply and drainage systems, and infrastructure of the county town, and the environment of the county town and surrounding areas, and promote the development of the local tourism and commerce.

26. Road construction: This component will relieve the traffic congestion of the county town, promote commerce and tourism, and increase nearby residents' income.

27. Water supply: With the development of the national economy and the improvement of people's standard of living, water shortage has become an important restraint on Burqin County's socioeconomic development and stability. The water supply component will improve water supply capacity, improve water supply conditions and relieve the water shortage.

28. Sewage treatment: The environment of the county town and surrounding areas will be improved greatly; the aged sewer network will be restored. At the outskirts, drainage facilities will dispose of domestic sewage timely, improve environmental hygiene, and be good to villagers' physical health.

29. Refuse disposal: With the implementation of this component, the living environment will be cleaner, impact of urban refuse on the environment will be reduced significantly, and the infrastructure and environment of the county town will be improved greatly, which will promote the county's tourist development.

30. In general, the road construction, water supply, sewage treatment and refuse disposal components will drive Burqin County's commercial and tourist development. Presently, the soft environment for investment introduction is attractive, including the relevant preferential policies, but the hard environment is unsound, especially the infrastructure. The Project will improve the traffic and environment of the urban area, which will increase the confidence of investors and promote the economic development of the county town.

31. In the meantime, great importance is attached to public participation during project implementation. Whether at the preparatory stage or the future construction stage, some urban residents and entities have been or will be involved in the environmental decision-making process of the Project, and have known the origin and significance of the Project, so that more entities and individuals will be involved in environmental decision-making. The Project will strengthen the environmental awareness of urban residents, and enable them to maintain environmental hygiene self-consciously; enterprises and institutions will also further comply with the standards stipulated in the applicable regulations on environmental protection.

32. The County PMO will ensure that a certain number of unskilled job opportunities be available to affected women during project implementation, and give priority to female labor in technical training, so that their economic status will not be reduced.

1.4 Measures to avoid or minimize land acquisition and house demolition

33. Resettlement impacts have been considered at the design stage to minimize such impacts. The main principles are as follows:

- Avoiding or minimizing occupation of existing and planned residential areas (urban and rural)
- Avoiding or minimizing occupation of high-quality farmland and pasture land
- Gaining access to the proposed construction sites through existing state and local roads
- Avoiding or minimizing occupation of environmentally sensitive areas
- Selecting a resettlement community in line with the local development plan

- Laying sewer lines along highways or in barren land, avoiding exposed pipelines, and restoring the land surface after construction; and
- Building the sewage treatment plant and refuse disposal plant on barren land where possible according to topographic conditions

1.4.1 Example of reducing resettlement impacts by optimizing project composition

34. To optimize the road construction design, the TA experts, RP preparation agency and design agency have proposed to cancel Shenhu Road, Qianhu Road, Shuanghu Road South, Baihu Road, Meilifeng Road and Xingye Road based on the field investigation and communication with the government agencies, County PMO, community and village committees concerned; 4 households with 9 persons will be affected by Qianhu Road, with a demolition area of 1,123.21m², 11 households with 23 persons will be affected by Shuanghu Road South, with a demolition area of 1,552.06m², 1 household with 2 persons will be affected by Baihu Road, with a demolition area of 88.16m², 7 households with 19 persons will be affected by Meilifeng Road, with a demolition area of 1,089.3m², and 18 households with 76 persons will be affected by Xingye Road, with an acquisition area of 171.72 mu.

1.4.2 Example of reducing resettlement impacts by optimizing project design

35. 4 new roads have been added according to field investigation and the development plan of Burqin County, namely Hebin, Wucaitan, Huancheng and Shenxianwan Roads, which involve no land acquisition or house demolition. Youyifeng, Yueliangwan, Wolongwan, Yingbin and Hebin Roads have been rerouted to reduce impacts of land acquisition and house demolition. For example, before optimization, Youyifeng Road affected 10 households with 25 persons and involved a demolition area of 1,957.39m², Yueliangwan Road affected 5 households with 12 persons and involved a demolition area of 820.38m², Wolongwan Road affected 36 households with 107 persons and involved a demolition area of 7090.89m², Yingbin Road affected 5 households with 14 persons and involved a demolition area of 984.4m², and Hebin Road affected 23 households with 70 persons and involved a demolition area of 2516m². After optimization, all these impacts of land acquisition and house demolition have been eliminated.

36. Generally, the road construction design is more rationally than before. Not only the road network of Burqin County will be improved in a more balanced manner, but also impacts of land acquisition and house demolition have been reduced. The number of affected households has dropped from 118 to 24, the amount of acquired collective pasture land from 496.39 mu to 287.32 mu, and the number of affected commercial stores and entities from 12 to 2.

Table 1-3 Comparison of resettlement impacts before vs. after project design optimization

Item		Unit	Before optimization	After optimization	Difference
Land acquisition	Collective land	Mu	496.39	287.32	-209.07
	State-owned land	Mu	61.11	13.2	-47.91
	Subtotal	Mu	2557.5	300.52	-2256.98
Temporary land occupation		Mu	597.6	436.26	-161.34
House demolition	Rural residents	m ²	990.5	0	-990.5
	Urban residents	m ²	19369.36	3,608.07	-15761.29
	Enterprise / institution	m ²	2666.2	1510	-1156.2
	Commercial store	m ²	153.4	120	-33.4
	Subtotal	m ²	23179.46	5238.07	-17941.39
Land acquisition	Affected population	/	150	134	-16

House / building demolition	Rural residents	Household	3	0	-3
	Urban residents	Household	115	24	-91
	Commercial store	/	3	1	-2
	Enterprise / institution	/	9	1	-8
	Subtotal	/	130	26	-104

2 Project Impacts

2.1 Types of impact

37. Based on the physical indicator surveys, the main types of impact of the Project include:

- (1) Land acquisition/occupation;
 - (2) Demolition of residential houses and attachments;
 - (3) Demolition of non-residential houses (enterprises, institutions and commercial stores);
- and
- (4) Demolition of ground attachments and infrastructure

2.2 Survey methodology and process

38. In order to learn the impacts of the Project, the County PMO, design agency and RP preparation task force investigated the range of land acquisition and house demolition of Burqin County as required by ADB.

39. During June 2-19, 2009, a field investigation of the Project was conducted.

40. On August 4, 2009, a training meeting of the staff involved in the Ethnic Minority Development Plan (EMDP) and the RP was held at BCCB, explaining the planning concept, policy framework, issues arising from land acquisition and house demolition, the relevant requirements in the EMDP and relevant ADB policies in detail; the questions raised by the attendees were answered in detail; training was given to the survey staff on the affected population, houses, land, pasture land and special facilities, etc. in the affected areas, and a survey agenda was determined.

41. During August 5-15, 2009, a FGD was held at BCCB to further define the scope and range of the Project, and a field investigation was conducted; the County PMO and RP preparation agency organized relevant staff to conduct a detailed survey of the physical indicators of the affected population, houses, land and special facilities, as well as the affected residents and rural collective economic organizations.

42. From May to August 2010, the ADB TA experts and RP preparation agency conducted a field investigation of the scope and range of the Project, a supplementary survey of the physical indicators of the affected population, houses, land and special facilities, as well as the affected residents and rural collective economic organizations, and interview and case study of affected residents. 42. In July 2011, the project executive office, house demolition management office and the evaluation agency investigated the influence of waste treatment engineering began in 2011 within the scope of the population, housing, land, pasture, special facilities and so on.

43. The surveys were conducted in a combination of field investigation, data collection and inquiry, questionnaire survey and interview. The survey of house demolition included house ownership and attached facilities; the survey of land acquisition included nature and quantity of land, number of directly affected households, population, willingness of resettlement of affected households, and average output value of the past 3 years. Officials of the affected town government and villager teams participated in the physical indicator surveys of the Project.

44. Land acquisition survey: The survey team surveyed the area of the acquired land by ownership and type after the design agency defined the range of land acquisition by field setting-out.

45. Socio-economic survey: A sampling survey of affected population, including ethnic group, age, educational level and employment status, etc.

46. House and attachment demolition survey: Demolished houses were measured on spot one by one, and registered by ownership and structure together with their attachments.

47. Scattered tree survey: Scattered trees within the affected areas were counted on spot to differentiate fruit trees and other trees, and registered by species.

48. Special facility survey: The affected water resources, electric power and telecommunication facilities were surveyed based on the existing information of the competent authorities, and verified and registered on spot.

2.3 Impact identification of the components

49. The land acquisition and house demolition impacts of the Project are determined based on the recommended option at the FS stage. The Project will affect 2 communities and 5 villages, and land acquisition and house demolition will affect 204 persons.

1. Road construction

50. Urban road construction will affect 24 households with 70 persons in two communities of Burqin County, including 5 minority households with 17 persons, accounting for 24.29% of the affected population. Urban residential houses of 3,608.07m² will be demolished, including 78.2 m² in masonry-concrete structure, 1,275.58 m² in masonry-timber structure, 2,126.99 m² in earth-timber structure and miscellaneous houses of 127.3 m². One enterprise with a demolition of 1,510 m² and one commercial store with a demolition area of 120 m² will be affected. Total demolition area will be 5,238.07 m².

51. EDZ road construction will affect 15 households with 49 persons in Halagou Village. The type of land to be acquired is pasture land (Class 3, Grade 1), with an acquisition area of 101.55 mu.

2. Water supply

52. Land acquisition for the water purifying plant and pumping station will affect one household with 6 persons in Sartlic Village, and 16.65 mu pasture land (Class 2, Grade 4) will be acquired, including 11.4 mu (including administrative area) for the water purifying plant and 5.25 mu for the access road. The sewer network of the water supply component will occupy 171.2 mu of collective pasture land in Irtysh, Sartlic and Talahar Villages, affecting 83 households with 247 persons indirectly, and will occupy 142 mu of state-owned barren woodland temporarily. . Water distribution network laying will involve excavation of urban state-owned roads and green belts, and occupy 34.29 mu of land temporarily. Such roads and green belts will be restored by the construction agency to the former size and standard after network laying, and the relevant costs will be included in the engineering budget of the Project.

53. The water intake is in the upper Burqin River, about 33km away from the Burqin County town. This location is out of the planning area of the county town. The proposed water source is in the upper Burqin River, far away from the urban area, featuring little human and animal activity, and high productive safety. It has been confirmed in the Environmental Impact Assessment Report of the Project that no one's livelihood is affected by water source protection within the water-source reserve.

3. Sewage treatment

54. The sewage treatment plant and pumping station will affect one household with 3 persons in Hatai Village by acquiring 72.08 mu of pasture land (Class 3, Grade 1), including 72 mu for the sewage treatment plant (including administrative area) and 0.08 mu for the pumping station. Sewer network laying will involve excavation of urban state-owned roads, and occupy 74.28 mu of land and 14.49 mu of collective pasture land temporarily, and affecting one household with 3 persons indirectly. Sewer network laying will involve excavation of urban state-owned roads. Such roads will be restored by the construction agency to the former size and standard after network laying, and the relevant costs will be included in the engineering budget of the Project.

4. Refuse disposal

55. Refuse disposal will affect 18 households with 76 in Halagou and Hatai Villages (12 households with 47 persons in Hatai Village; 6 households with 29 persons in Halagou Village) by acquiring 90.23 mu of pasture land (Class 3, Grade 1), including 80.25 mu for the refuse disposal plant (including administrative area) and 9.98 mu for the access road.

56. The impacts of the components are shown in Table 2-1.

Table 2-1 **Impact identification of the components**

Component	Permanent land acquisition						Temporary land occupation						House demolition										
	Collective land			State-owned land			Collective land					State-owned land (mu)	Residential house demolition					Relocation of enterprises /institutions			Relocation of commercial stores		
	Pasture land (mu)	Affected population	Minority population	Housing land (mu)	Affected population	Minority population	Collective land (mu)	Affected house-holds	Affected population	Minority population	Demolition area		Affected house-holds	Affected population	Minority house-holds	Minority population	Demolition area	Number affected	Persons affected	Demolition area	Number affected	Persons affected	
Road construction	101.55	49	49	13.29									3,608.07	24	70	5	17	1510	1	0	120	1	2
Water supply	16.65	6	6				171.2	83	247	83	247	176.29											
Sewage treatment	72.08	3	3				14.49	1	3	1	3	74.28											
Refuse disposal	90.23	76	76																				
Subtotal	280.51	134	134	13.29			185.69	84	250	84	250	250.57	3,608.07	24	70	5	17	1510	1	0	120	1	2

2.4 Impacts of permanent land acquisition

2.4.1 Collective land

57. Collective land acquisition is caused by the components of EDZ road construction, water supply, sewage treatment plant and refuse disposal mainly, affecting 35 households with 134 persons. 280.51 mu of collective pasture land will be acquired permanently, all being pasture land, including 131.61 mu in Halagou Village, 16.65 mu in Sartlic Village and 132.25 mu in Hatai Village, as shown in Table 2-2.

Table 2-2 Impact analysis of land acquisition

No.	Component	Village/ community	Acquired collective land (mu)		Affected households	Affected population
			Pasture land	Rating		
1	EDZ road construction	Halagou Village	101.55	Class 3, Grade 1	15	49
2	Refuse disposal	Hatai Village	60.17	Class 3, Grade 1	12	47
		Halagou Village	30.06	Class 3, Grade 1	6	29
3	Water supply	Sartlic Village	16.65	Class 2 Grade 4	1	6
4	Sewage treatment	Hatai Village	72.08	Class 3, Grade 1	1	3
Total			280.51		35	134

58. For the 35 households affected by land acquisition, only one has a land loss rate of over 1% (1.7%), and that of the other 34 is 0.2% only.

59. The 15 stockbreeding households affected by EDZ road construction have 3,174 mu of pasture land on average, and the acquisition area per household is 6.77 mu, with an average loss rate of 0.2%. (The pasture land involved in EDZ road construction is owned jointly by these 15 households. Pasture land is divided into work teams, each owned collectively by several to tens of households. Therefore, the pasture land area acquired for EDZ road construction is allocated to the households averagely.)

60. The 18 stockbreeding households affected by the refuse disposal plant own 2,016 mu of pasture land, and the acquisition area per household is 5.01 mu, with an average loss rate of 0.2%.

61. Water supply will affect one household with 12,052 mu of pasture land, 16.65 mu will be acquired, with an average loss rate of 0.14%.

62. Sewage treatment will affect one household with 4,265 mu of pasture land, in which 72.08 mu will be acquired, with a loss rate of 1.7%.

2.4.2 State-owned land

63. Permanent acquisition of state-owned land is caused mainly by urban road construction. 13.29 mu of state-owned land will be occupied permanently, including 2.26 mu used by enterprises and institutions, 0.18 mu used by commercial stores and 10.85 mu used by communities, as shown in Table 2-3.

Table 2-3 **Statistics of state-owned land permanently occupied by the Project**

Nature of entity	Affected entity	Nature of land	Area of occupied state-owned land (mu)
Enterprise/institution	Taiyun Group Burqin Branch	Industrial land	2.26
Commercial store	Baishun Store	Commercial land	0.18
Community/village	Youyifeng Community	Housing land	4.97
	Meilifeng Community	Housing land	5.88
Total			13.29

2.5 Temporary land occupation

64. The water distribution network of the water supply component will occupy 171.2 mu of collective pasture land in Irtysh, Sartlic and Talahar Villages, affecting 83 households with 247 persons indirectly, and will occupy 142 mu of state-owned barren woodland and 34.29 mu urban state-owned roads temporarily. Sewer network laying will involve excavation of urban state-owned roads, and occupy 74.28 mu of land and 14.49 mu of collective pasture land temporarily, and affecting one household with 3 persons indirectly (this household is also affected by land acquisition for the sewage treatment plant).

65. The average area of temporarily occupied pasture land of the 83 households affected by temporary land occupation is 2.06 mu, while their average pasture land area is 375.29 mu. The County PMO will provide compensation according to the measures of compensation for temporary occupation of pasture land, and restore the vegetation as required by the regulatory authority after the completion of the pipe networks.

66. The laying of the water distribution and sewer networks will involve excavation of urban state-owned roads and green belts. Such roads and green belts will be restored by the construction agency to the former size and standard after network laying, and the relevant costs will be included in the engineering budget of the Project. See Table 2-4 for details.

Table 2-4 **Statistics of collective land temporarily occupied by the Project**

No.	Collective land				State-owned land	
	Village/ community	Pasture land (mu)	Affected households	Affected population	State-owned barren woodland	State-owned urban road
1	Irtysh Village	131				
2	Sartlic Village	33.27	17	48		
3	Talahar Village	6.93	3	10		
4	Hatai Village	14.49	1	3		
4					142	108.57
Total		185.69	84	250	142	108.57

2.6 House demolition

2.6.1 Residential houses

67. The Project does not involve demolition of rural residential houses. It involves demolition of urban residential houses mainly, affecting 24 households with 70 persons, including 5 minority households with 17 persons.

68. Total demolition area is 3,608.07 m², including 78.2 m² in masonry concrete structure (2.17%), 1,275.58m² in masonry timber structure (35.35%), 2126.99m² in earth timber structure

(58.95%) and miscellaneous houses of 127.3m² (3.53%). See Table 2-5. See Appendix 4 for the detailed information of the 24 displaced households.

Table 2-5 Urban residential houses to be demolished

Road	Village /community	Total HHs	Total pop	Demolition area (m ²)				Total
				Masonry concrete	Masonry timber	Earth timber	Misc.	
Baihuayuan Road	Meilifeng Community	15	41	78.2	1215.58	1069.69	29.5	2392.97
Shuanghu Road North	Youyifeng Community	9	29	0	60	1057.3	97.8	1215.1
Total		24	70	78.2	1275.58	2126.99	127.3	3,608.07

2.6.2 Commercial stores

69. Commercial store relocation is caused mainly by urban road construction. The Project will affect one commercial store, with a demolition area of 120 m² in masonry concrete structure. The store deals mainly with retailing, and 2 persons will be affected. See Table 2-6.

Table 2-6 Statistics of affected commercial stores

Road	Owner	Type of business	Annual revenue (10,000 yuan)	Annual profits (10,000 yuan)	Is it rented?	Degree of demolition
Meilifeng Road	Zhang Zhigang	Store	2.4	1.2	No	Full demolition

2.6.3 Affected enterprises and institutions

70. House demolition and state-owned land occupation will affect one enterprise, which is Taiyun Group Burqin Branch, with a demolition area of 1,510 m², including 10 m² in masonry concrete structure, accounting for 0.66% and 1,500 m² in masonry timber structure, accounting for 99.34%.

71. The demolished premises are located on the training ground in the east courtyard, and house demolition will not affect its production. There is no actually affected population.

72. The impacts are shown in Table 2-7. The business information of this enterprise is shown in Table 2-8.

Table 2-7 Statistics of affected enterprises and institutions

Road	Enterprise	Overview of affected enterprise					Demolition area (m ²)			
		Workforce	Women	Nature of business	Owners	State-owned land occupied (mu)	Office and storage premises			
							Masonry concrete	Masonry timber	Earth timber	Simple structure
Baihuayuan Road	Taiyun Group Burqin Branch	67	10	Private	Wang Yongbo, Li Lesheng	2.26	10	1500	0	0

Table 2-8 **Business information on affected enterprises and institutions**

Road	Enterprise	Main business	Former area				Total fixed assets (10,000 yuan)	Annual output value (10,000 yuan)	Annual profits (10,000 yuan)	Business condition
			Premises (m²)							
			Productive and business premises		Office and storage premises					
			Masonry concrete	Masonry timber	Masonry concrete	Masonry timber				
Baihuayuan	Taiyun Group Burqin Branch	Enterprise	18000	-	600	-	1200	500	40	Good

2.7 Affected vulnerable groups

73. The vulnerable groups refer to those individuals and their families whose living standard is lower than the minimal living standard line of Burqin (for rural people in Jimunai, the standard is CNY700 per year per person and for urban people the standard is CNY 1860 per year per person), including orphan, aged people, handicapped people, mentally disabled persons, impoverished people, and women headed households.

74. Based on a preliminary analysis, 3 households with 7 persons fall into vulnerable groups, as shown in Table 2-9.

Table 2-9 **Information on affected vulnerable groups**

No.	Householder	Demolition area (m ²)	Family population		Source of income	Cause analysis	Impact
			Total	Labor			
1	Yang Dianhua	277.08	1	1	MLS benefit	Widow	Demolition
2	Xue Xiu'e	133.18	4	3	MLS benefit	Poverty	Demolition
3	Wang Yuying	124.82	2	1	MLS benefit + house rent	Poverty	Demolition
Total		535.08	7	5	-	-	-

75. (1)Yang Dianhua, living on Baihuayuan Road, 76 years, primary school education, is a female householder whose husband is dead. She lives on a minimum living security (MLS) benefit of 200 yuan/month mainly, and leads a hard life. She will be affected by road construction, and demolition area will be 277.08m².

76. It is learned that the old person expects timely and reasonable compensation. If resettlement housing is offered, she expects the government to provide policy assistance. She supports the Project highly, because road construction is a project for people's well-being, and is beneficial to all people around.

77. (2)Wang Yuying lives in Meilifeng Community, Baihuayuan Road, and her husband is dead. The old person lives on house rent and MLS benefit. She will be affected by road construction, and demolition area will be 124.82m².

78. It is learned that she expects fair, reasonable and timely compensation. The resettlement housing should be preferably close to her former residence, so that her son can visit her conveniently; since she is elderly, she expects a lower floor and some living assistance. In case of cash compensation, she would move to her son's house to take care of her grandchild. She

supports road construction, because the old road is uneven and often muddy, and the new road will make it more convenient to go out.

79. (3)Xue Xiu'e is 72 years old. Her husband is dead, and two sons and one daughter have been married. She lives mainly on house rent. She will be affected by road construction, and demolition area will be 133.18m².

80. It is learned that she can accept either property swap or cash compensation. If resettlement housing is offered, she expects a lower floor, because she is elderly. In case of cash compensation, she would move to a son's house and give the compensation to the son to do business or deal with transport in order to improve standard of living. She thinks road construction is a good thing, because the old road is inconvenient for old people like her.

2.8 Affected population

81. Land acquisition and house demolition for the Project will affect 2 communities and 3 villages, and is estimated to affect 204 persons, including 151 minority persons, accounting for 74.02% of the affected population, as shown in Table 2-10.

Table 2-10 Statistics of affected population

Type of impact	Acquisition of collective land only		House demolition only		Both land acquisition and house demolition		Affected commercial stores		Total	
	Affected households	Affected population	Affected households	Affected population	Affected households	Affected population	Affected households	Affected population	Affected households	Affected population
Total	35	134	24	70	—	—	1	2	59	204

Note: 1 HH and 2 persons due to shop demolition is counted in the house demolition.

2.9 Affected ethnic minorities

82. Land acquisition and house demolition will affect 59 households with 204 persons in total, including 40 minority households with 151 persons, which 5 minority households with 17 persons are affected by house demolition and 35 minority households with 134 persons are affected by land acquisition. The main ethnic minorities are Kazakh, Uygur and Hui. 141 Kazakhs are affected by the Project, accounting for 89% of the affected minority population. According to the socioeconomic survey, the detailed statistics of the ethnic minorities are shown in Table 2-11.

83. The affected ethnic minorities enjoy the same social and economic status as the local Han people, and have kept their own ethnic customs and religious believes.

84. The IP safeguards are triggered and an EMDP has been prepared.

Table 2-11 **Statistics of affected minority population**

Component	Village/ community	Total		Ethnic minorities		Kazakh		Uygur		Hui	
		households	population	Households	Population	Households	Population	Households	Population	Households	Population
Urban road construction	Youyifeng Community	9	29	5	17	2	7	1	3	2	7
	Meilifeng Community	15	41	0	0	0	0	0	0	0	0
EDZ road construction	Halagou Village	15	49	15	49	15	49	0	0	0	0
Refuse disposal	Hatai Village	12	47	12	47	12	47	0	0	0	0
	Halagou Village	6	29	6	29	6	29	0	0	0	0
Water supply	Sartlic Village	1	6	1	6	1	6	0	0	0	0
Sewage treatment	Hatai Village	1	3	1	3	1	3	0	0	0	0
Total		59	204	40	151	37	141	1	3	2	7

2.10 Affected attachments and infrastructure

85. The ground attachments and infrastructure affected by road construction are shown in Table 2-12.

Table 2-12 **Affected attachments and infrastructure**

Item	Unit	Qty.
Big tree (non-fruit)	/	58
Small tree (non-fruit)	/	36
Fruit tree (usable as timber)	/	20
Fruit tree (small sapling)	/	20
Pressure well	/	24
Toilet	/	24

3 Socioeconomic Profile and Impact Assessment

3.1 Socioeconomic background of the affected areas

86. Burqin County governs 6 Xiangs, one town and 63 administrative villages, with a total population of 68,000 and a minority population of 45,500, composed of 21 ethnic groups. In 2008, the county's GDP was 917.99 million yuan, up 7.4% year on year. The added value of primary, secondary and tertiary industries was 213.15 million yuan, 285.78 million yuan and 419.06 million yuan, respectively, up 5.5%, 5.5% and 9.5% year on year. The structural ratio of industries was 23.2:31.1:45.6. In terms of contribution to economic growth, that of primary industries was 18.9%, driving GDP growth by 1.4 percentage points; that of secondary industries was 21.8%, driving GDP growth by 1.6 percentage points; and that of tertiary industries was 59.4%, driving GDP growth by 4.4 percentage points. In 2008, local fiscal revenue attained 77.5 million yuan.

87. In 2008, the per capita net income of farmers and herdsmen was 4,682 yuan, up 372 yuan year on year, and the total retail sales of consumer goods attained 660 million yuan, up 14% year on year. The county received 850,000 men-times of visitors in total, and realized tourist income of 670 million yuan.

3.2 Socioeconomic profile of affected villages and communities

88. Land acquisition for urban road construction will involve Youyifeng and Meilifeng Communities of Burqin County, affecting 5 villages, which are Halagou and Hatai Villages in Woyimoke Xiang, and Irtysh, Halatar and Sartlic Villages in Dulaiti Xiang.

89. **Meilifeng Community, Burqin Town**, founded in October 1996 and renamed from Xinxin Community on January 2, 2008, has a total area of 1.6 km². This community is bordered by Meilifeng Road on the west, and its jurisdiction is south of Yingbin Road in the county town, on both sides of Ehe Road, north of the Irtysh River and east of Meilifeng Road. The community has 14 administrative staff and a resident population of 2,394 in 798 households, including 142 minority households with 476 persons and 656 Han households with 1,918 persons. There are 22 administrative institutions, one safe and civil community, 4 landscaping qualified entities and one landscaped entity within the jurisdiction.

90. **Youyifeng Community, Burqin Town** is located in the downtown area, bordered by Youyifeng Road on its west, so it has been renamed as Youyifeng Community. Its jurisdiction borders Meilifeng Road on the east, Youyifeng Road South on the west, Wolongwan Road on the south and Shenhu Road East on the north, with a total area of 0.9 km² and 3,248 villagers in 1,084 households. There are 26 administrative institutions within the jurisdiction. The community has 12 administrative staff and 51 CPC members. The community has been strengthening resources sharing with the entities inside, and further improved office facilities and activity spaces. There are office premises of 450m² and activity spaces of 230m² within the community.

91. Halagou Village, Woyimoke Xiang is located 60km southeast of the Burqin County town, about 95km away from the seat of the Xiang government. It is a stockbreeding village with an arable area of 1,705 mu and 1,611 villagers in 413 households, including a labor force of 451. In 2009, the highest number of livestock was 24,659 heads, and the number of animals in stock at the year end was 17,675 heads. In 2009, per capita net income was 4,700 yuan.

92. Hatai Village, Woyimoke Xiang is located 5km north of the Burqin County town, about 30km away from the seat of the Xiang government. It is a stockbreeding village with 2,165 villagers in 583 households, including a labor force of 570, and an arable area of 1,418 mu. In 2009, the highest number of livestock was 29,731 heads, and the number of animals in stock at the year end was 20,630 heads. In 2009, per capita net income was 4,897 yuan.

93. Irtysh Village, Dulaiti Xiang is located 1km south of National Highway 217 and 13km west of the seat of the Xiang government, with 1,069 villagers in 344 households, an arable area of

9,700 mu and a per capita arable area of 6.4 mu. All herdsmen of this village have settled or semi-settled. This is a village dealing with both agriculture and stockbreeding, with focus on stockbreeding. In 2009, per capita net income was 5,177 yuan.

94. Halatar Village, Dulaiti Xiang is located north of National Highway 217 and 9km west of the Burqin County town, being the village closest to the county town in this Xiang, with 647 villagers in 158 households. High-yield cows are raised in this village by taking full advantage of its geographic location to sell fresh milk to the county town, which has become a new source of income of farmers and herdsmen. In 2009, per capita net income was 4,697 yuan.

95. Sartlic Village, Dulaiti Xiang is located 7km south of National Highway 217 and 12km west of the Burqin County town 12km, with 928 villagers in 219 households. This is a village dealing with both agriculture and stockbreeding, with focus on stockbreeding. In 2009, per capita net income was 5,158 yuan.

3.3 Socioeconomic survey of affected people

96. In May 2010, the ADB TA experts, RP preparation agency and County PMO conducted a supplementary survey of the affected residents and rural collective economic organizations for the following purposes: (1) collecting socioeconomic information of the affected people whose land or properties may be lost due to project construction; (2) collecting the affected people's opinions about the Project; and (3) determining concerns of the affected people about land acquisition, resettlement and income restoration measures.

97. In the survey, villages/urban communities were selected, and original data on road construction and reconstruction, EDZ road construction, and the urban water distribution and sewer networks, as well as baseline data on land acquisition for refuse disposal was collected. Two questionnaires were used: (1) questionnaire for village officials (including officials of urban community committees); and (2) questionnaire for residents.

98. A highly purposeful appointment sampling framework was designed for residents and entities, and data collected by the implementing agency in its earlier surveys and the current community committee level survey was adopted.

99. The survey covered all villages/communities affected by land acquisition, and is highly representative of land and property losses of residents. All households subject to severe land and property losses were sampled at a rate of 100%; vulnerable groups were covered.

100. The socioeconomic survey covered 59 households with 204 persons in 2 communities and 3 villages affected (directly or indirectly) by the Project, accounting for 100% of the households affected by land acquisition and house demolition. See Table 3-1.

Table 3-1 Surveyed villages and number of households

Component	Village /community	Respondents	Surveyed households
Urban road construction	Meilifeng Community	41	15
	Youyifeng Community	29	9
EDZ road construction	Halagou Village	49	15
Refuse disposal	Halagou Village	29	6
	Hatai Village	47	12
Water supply	Sartlic Village	6	1
sewage treatment plant	Hatai Village	3	1
Total		204	59

3.4 Socioeconomic profile of affected people

3.4.1 Demographics

101. The demographic profile of the affected people is shown in Table 3-2, including age, population composition, education and occupation of both genders. The Project will affect 59 households with 204 persons, including 110 men and 94 women; 53 Han people, 3 Uygurs, 141 Kazakhs and 7 Hui people; 3 illiterate or semiliterate persons, 8 persons who have received preschool education, 50 who have received primary school education, 112 who have received junior high school education, 21 who have received senior high school or technical secondary school education, and 10 who have received college or above education; 84 unmarried persons, 107 married persons, 3 divorced persons and 10 bereaved of spouse.

Table 3-2 Demographic profile of surveyed households

Type	Men		Women		Total	
	Qty.	%	Qty.	%	Qty.	%
Households					59	
Average population					3.46	
Age						
≤6 years	4	1.96	4	1.96	8	3.92
7-19 years	20	9.80	18	8.82	38	18.62
20-35 years	36	17.65	27	13.24	63	30.89
36-50 years	29	14.22	22	10.78	51	25.00
51-60 years	8	3.92	9	4.41	17	8.33
61-70 years	9	4.41	10	4.9	19	9.31
≥71 years	4	1.96	4	1.96	8	3.92
Total	110	53.92	94	46.08	204	100.00
Ethnic group						
Han	29	14.22	24	11.76	53	25.98
Uygur	2	0.98	1	0.49	3	1.47
Kazakh	75	36.76	66	32.35	141	69.12
Hui	4	1.96	3	1.47	7	3.43
Total	110	53.92	94	46.08	204	100
Educational level						
Illiterate or semiliterate	1	0.49	2	0.98	3	1.47
Preschool	4	1.96	4	1.96	8	3.92
Primary school	21	10.29	29	14.22	50	24.51
Junior high school	64	31.37	48	23.53	112	54.90
Senior high school or technical secondary school	13	6.37	8	3.92	21	10.29

Type	Men		Women		Total	
	Qty.	%	Qty.	%	Qty.	%
Junior college or above	7	3.43	3	1.47	10	4.90
Total	110	53.92	94	46.08	204	100.00
Marital status						
Unmarried	51	25	33	16.18	84	41.18
Unmarried (under statutory marriage age)	29	14.22	21	10.29	50	24.51
Unmarried (men ≥ 22 years, women ≥ 20 years)	22	10.78	12	5.88	34	16.67
Married	55	26.96	52	25.49	107	52.45
Divorced	3	1.47	0	0	3	1.47
Bereaved of spouse	1	0.49	9	4.41	10	4.9
Total	110	53.92	94	46.08	204	100
Occupation						
Farming	2	0.98	3	1.47	5	2.45
Stockbreeding	60	29.41	48	23.53	108	52.94
Industry	4	1.96	1	0.49	5	2.45
Commerce	3	1.47	5	2.45	8	3.92
Service	1	0.49	1	0.49	2	0.98
Teacher	1	0.49	0	0	1	0.49
Official	3	1.47	1	0.49	4	1.96
Student	16	7.84	15	7.35	31	15.2
Retired	3	1.47	3	1.47	6	2.94
Unemployed	3	1.47	1	0.49	4	1.96
Other	14	6.86	16	7.84	30	14.71
Total	110	53.92	94	46.08	204	100

Note: (1) Retiring age refers to 65 years for men and 60 years for women, so labor includes people between 16 years and this age, excluding those at school; (2) "Other" in "Occupation" refers to occupations not covered in this table and old people without ability to work;

Source: Socioeconomic survey 2009-2010 under the RP

3.4.1.1 Age

102. The age distribution reveals that the population is largely in a normal distribution (as shown). Most of the population is between 20-50 years, constituting the main part of labor and accounting for 55.89% of the sample size. The surveyed population is divided into different age groups. For example, students account for 15.2%, and those aged 7-19 years account for 18.62%. In labor identification, it was found that many family members (over 60 years for men and 55 years for women) are still laboring, so the actual labor force should be defined as men aged

16-65 years and women aged 16-60 years out of school education. According to this definition, labor force accounts for 69.61% of the sample size.

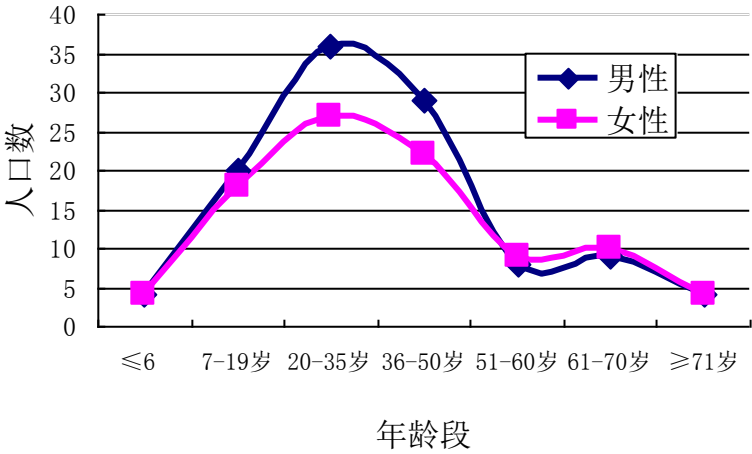


Figure 3-1 Age distribution of affected population

3.4.1.2 Education

103.54.9% of the affected people have received junior high school education, followed by primary school and senior high school/technical secondary school, accounting for 24.51% and 10.29% respectively. 15.19% of the respondents have completed or are receiving senior high school or higher education, and the 3 illiterate or semiliterate respondents that account for 1.47% are all aged over 50, showing a higher overall educational level of the affected people, with lower (e.g., primary school) and higher (e.g., senior college or above) education levels accounting for a small proportion in the affected population, and moderate educational levels (e.g., junior high school) accounting for a greater proportion; it can also be seen that more men have received medium or high education than women, indicating that attention should be paid to the protection of women’s rights and interests and women’s skills training during project implementation.

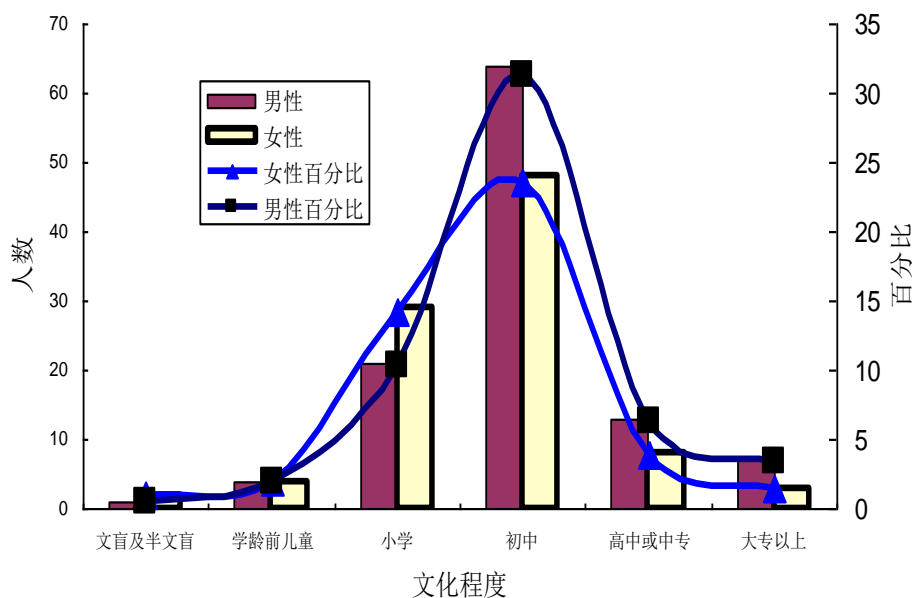


Figure 3-2 Educational level distribution of affected population

3.4.1.3 Occupation

104. Occupation distribution is largely as follows: 2.45% of the affected people deal with agriculture, 2.45% deal with industry, 3.92% do business, 0.98% deal with services, 1.96% do administrative work (officials), retirees account for 2.94%, other occupations account for 14.71%, and herdsmen account for 52.49%, as shown in Figure 3-3:

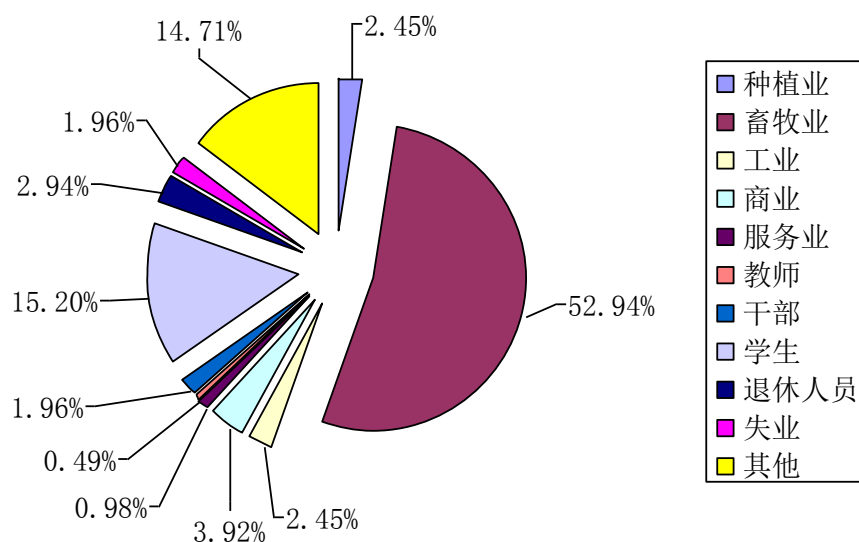


Figure 3-3 Occupation distribution of affected population

3.4.2 Housing conditions

105. Among all the components, only urban road construction involves residential house demolition. The residential profile of the affected people was evaluated in the socioeconomic

survey. Table 3-3 shows that the average living space of these households is 150.34m², up to 362.94m².

Table 3-3 **Housing conditions of surveyed households**

Item	Households surveyed	Min.	Max.	Ave.	Std. deviation
Number of rooms	24	3	15	5.5	2.98
House area (m ²)	—	80	362.94	150.34	67.28

Source: Socioeconomic survey 2009-2010 under the RP

3.4.3 Land and resources

106. In the EDZ road construction, water supply, sewage treatment and refuse disposal components, 35 stockbreeding households will be affected by acquisition of pasture land, as shown in Table 3-4.

Table 3-4 **Land statistics of surveyed households**

Unit: mu/household

Component	Surveyed households	Item	Min.	Max.	Average land possession (mu)	Std. deviation
EDZ road construction	15	Pasture land	1700	5600	3174.67	1146.66
Road construction						
Refuse disposal	18		450	3960	2016.67	1788.60
Water supply	1		12052	12052	12052	0
sewage treatment plant	1		4265	4265	4265	0

Source: Socioeconomic survey 2009-2010 under the RP

3.4.4 Durable consumer goods

107. In the socioeconomic survey, the ownership of household electric appliances was surveyed and analyzed. It can be seen in the table below that the ownership rate of television sets is the highest at 100%, with 1.12 sets owned per household, indicating that every household has a television set, followed by refrigerators, telephones, mobile phones and motorcycles. It can also be seen that 10.17% of the surveyed households own a PC and 3.39% own a car. See Table 3-5.

Table 3-5 **Statistics of household electric appliances and other assets**

Item	Ownership rate	Number per household	Number per capita
Bicycle	61.02%	1.12	0.32
Motorcycle	67.80%	0.73	0.21
Television set	100%	1.12	0.32
Washing machine	54.24%	0.59	0.17
Refrigerator	89.83%	1.03	0.3
PC	10.17%	0.1	0.03
Tractor	3.39%	0.03	0.01
Car	3.39%	0.03	0.01
Fixed telephone	81.36%	0.81	0.24

Item	Ownership rate	Number per household	Number per capita
Mobile phone	84.75%	1.61	0.47
DVD/VCD	57.63%	0.61	0.18
Induction cooker	5.08%	0.05	0.01
Electric oven	8.47%	0.08	0.02
Radio	25.42%	0.31	0.09
Electric fan	55.93%	0.78	0.23

Source: Socioeconomic survey 2009-2010 under the RP

3.4.5 Income and expenditure

108. The surveyed households are divided into 3 groups by income structure: farming, non-farming and stockbreeding households. In consideration of the complexity of households at outskirts, the income, expenditure and deposits of each household is calculated based on the availability of agricultural income other than agricultural household registration. Herdsmen mean people who own pasture land and livestock, and whose main source of income is stockbreeding. All households affected by land acquisition in Burqin County are stockbreeding and Kazakh households, and these herdsmen will be analyzed separately below. See Table 3-6.

Table 3-6 Per capita economic indicators of surveyed households in 2009

Unit: yuan/year/person

	Households surveyed	Item	Min.	Max.	Ave.	Std. deviation
Farming households	4	Per capita income	6000	8400	5275	2526.36
		Per capita expenditure	1706	6002.67	4098.67	1863.6
Non-farming households	20	Per capita income	2400	24680	8388.67	5978.09
		Per capita expenditure	1339	15276	6397.04	3710.69
Stockbreeding households	35	Per capita income	2000	18000	6038.78	3477.61
		Per capita expenditure	1715	9250	4122.84	1939.08

Source: Socioeconomic survey 2009-2010 under the RP

109. It can be seen from Table 3-6 that averagely, the income of non-farming households is higher than that of farming households. It can be seen from Table 3-7 that this is because non-farming households usually have higher wage income and some other sources of income, such as doing business and house leasing. For farming households, except agricultural income, another main source of income is employment, which is unstable, and there are fewer other sources of income; the per capita income of herdsmen is 6,038.78 yuan, between that of farming and non-farming households, indicating that their standard of living is improving, especially in recent years with the rise of mutton and beef prices. It can be seen from Table 3-7 that the income structure of herdsmen is relatively simple, in which stockbreeding income accounts for over 90% of total income.

Table 3-7 Income sources of surveyed households in 2009

Item	Agriculture	Stockbreeding	Outside employment	Doing business	House leasing	Wages	MLS	Total
Farming households	19000	800	41000	—	—	16800	—	77600
Proportion	24.48%	1.03%	52.84%	—	—	21.65%	—	100.00%
Non-farming households	—	—	95600	117000	64040	217600	7200	501440
Proportion	—	—	19.06%	23.33%	12.77%	43.40%	1.44%	100.00%
Households of herdsmen	38000	763200	—	—	—	18000	—	819200
Proportion	4.64%	93.16%	—	—	—	2.20%	—	100.00%

Source: Socioeconomic survey 2009-2010 under the RP

110. Table 3-8 reveals that educational expenses account for 10.03%, 12.20% and 10.76% of the total expenditure of farming, non-farming and stockbreeding households, respectively. It can be seen that there is little difference in this aspect, indicating that all parents have a consistent attitude toward their children's education; living expenses account for 41.12%, 29.30% and 35.38%, respectively, and rank first; the proportion of living expenses to total expenditure of non-farming households is the lowest, indicating a more diversified expenditure mix and a higher standard of living.

Table 3-8 Expenditure of surveyed households in 2009

Expense	Urban road construction		EDZ road construction	Refuse disposal	Water supply	Sewage treatment
	Farming households	Non-farming households	Stockbreeding households			
Water	—	—	3.67%	—	1.28%	—
Electricity	2.27%	3.68%	5.82%	3.14%	1.53%	4.78%
Heating	14%	12.50%	11.10%	13%	4.62%	11.48%
Refuse	0.78%	0.45%	—	—	—	—
Amusement	1.67%	—	—	—	—	—
Living	41.12%	29.30%	34.76%	36.44%	13.20%	47.83%
Clothing	11.70%	9.88%	9.09%	10%	16.61%	19.13%
Agriculture	2.38%	—	—	3.12%	28.32%	
Business	—	4.88%	—	—	—	
House leasing	—	2.70%	—	—	—	—
Pasture land	—	—	2.29%	0.60%	2.39%	0.89%
Education	10.03%	12.20%	8.02%	13.93%	2.56%	2.87%
Medical treatment	8.36%	14.10%	11.97%	8.27%	9.16%	4.78%
Traffic	2.67%	2.36%	5.48%	4.98%	7.18%	4.78%
Communication	5.02%	7.30%	7.80%	6.52%	3.36%	3.46%
Taxes	—	0.65%	—	—	6.60%	—
Other	—	—	—	—	3.19%	—
Total	100%	100%	100%	100%	100%	100%

Source: Socioeconomic survey 2009-2010 under the RP

3.5 Gender analysis

111. This section provides a gender perspective of resettlement impacts, and includes 3 aspects: (1) gender differences in education; (2) gender differences in occupation; and (3) resettlement-related gender considerations.

3.5.1 Education

112. Urban road construction, EDZ road construction, water supply, sewage treatment and refuse disposal will affect 59 households with 204 persons in total, including 110 men and 94 women. The survey data in Table 3-2 indicates clearly that women's overall educational level is lower than men's in the affected areas. Figure 3-4 indicates the percentages of education receiving of the male and female groups. It can be seen that more men have received high school and higher education than women, but more women have received primary education than men.

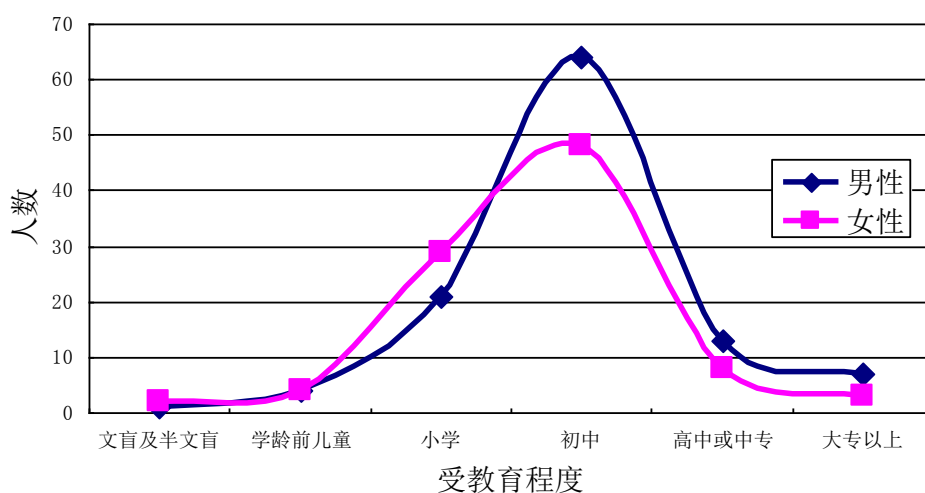
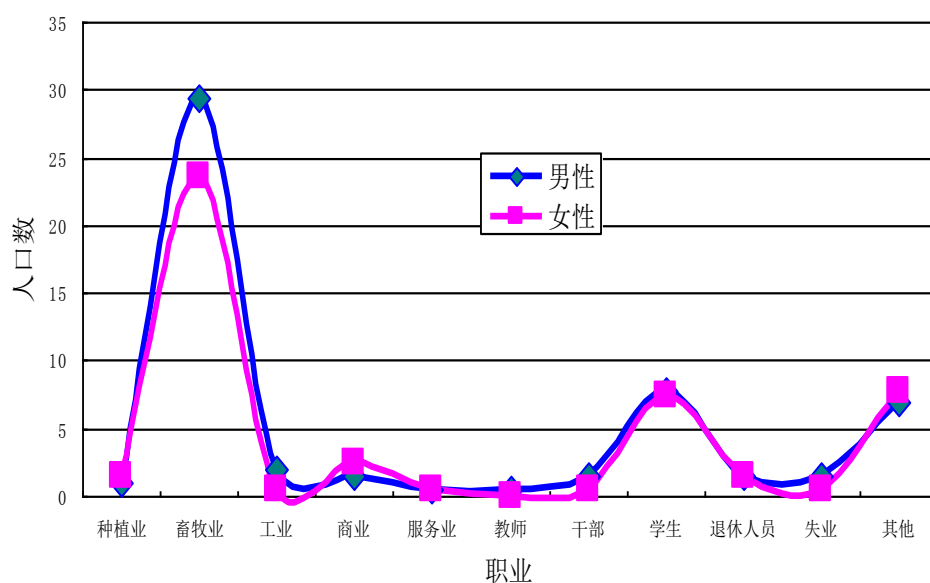


Figure 3-4 Gender difference in educational level

3.5.2 Occupation and income

113. Similar to and associated with the educational background of the male and female groups, the number of women doing farm work is largely equal to that of men. More men deal with industry and stockbreeding than women, and slightly more men do administrative work than women. More women deal with commerce than men, indicating quite high status of women in economic life.

See Figure 3-5.



Note: Sample size: n=204

Figure 3-5 Gender difference in occupation

114. Among the labor force, the average annual income per capita income for men is 8,420 yuan and the for the women is 5750 yuan. In consideration of the gender differences in educational and occupational background of the potentially affected people, the proportion of women's income in household income has been analyzed (see Table 3-9). There are 59 women laborers. The results show that their income accounts for 47.78% of household income on average. Relatively, this figure is higher for urban women.

Table 3-9 Share of women in household income in 2009

Item	Persons surveyed	Min.	Max.	Ave.	Std. deviation
Proportion of women's income	59	10%	100%	47.78%	0.22

Source: Socioeconomic survey 2009-2010 under the RP

3.5.3 Analysis of affected women

115. Kazakh is a famous nomadic ethnic group, and practices a strict paternal patriarchal system. The husband has a higher authority in the family, but the wife's opinions about family affairs are usually respected. In the division of labor, men deal mainly with herding and women do housework mainly. Respect for the aged is a prevailing in family life. Anyone who disrespects his/her parents will be sneered at or even punished.

116. In urban families, the role of men is closer to that of women, where women also have stable wage income and assume child fostering and housework in family life. In leisure time, women would also take part in amusements like men do; men play their role in social intercourse mainly. There are no differences between urban and rural families in other aspects.

117. If houses/buildings are to be demolished, women's concerns about resettlement are identical with men's: (a) Compensation should be based on land output and resettlement cost; (b) The resettlement housing should be close to the road for the convenience of going to work, doing business and attending school; (c) Cash compensation should be paid directly to the

affected households based on their needs; and (d) The living environment of the resettlement community should be better so that they can adapt to urban life more easily.

4 Legal Framework and Policies

4.1 Introduction to laws, regulations and policies on resettlement

118. The resettlement policies of the Project are based mainly on the applicable regulations and policies of ADB and the PRC, including:

119. ADB policies

- ADB Safeguard Policy Statement (2009), Safeguard Policy 2: Involuntary Resettlement
- ADB Safeguard Policy Statement (2009), Safeguard Policy 3: Indigenous Peoples
The RP has already described the resettlement impacts on ethnic minorities, but other social impacts will be described in a separate EMDP.
- ADB Policy on Public Participation
- Gender and Resettlement Analysis

120. Laws and regulations of the PRC

- Land Administration Law of the PRC (effective from January 1, 1999, amended on August 28, 2004)
- Regulation on the Dismantlement of Urban Houses of the PRC (Decree No.305 of the State Council, effective from November 1, 2001)
- Decision of the State Council on Deepening the Reform and Rigidly Enforcing Land Administration (Guo Fa [2004]28) (effective from October 21, 2004)
- Guidelines on Improving Compensation and Resettlement Systems for Land Acquisition (MLR Fa [2004] No.238) (effective from November 3, 2004)
- Property Right Law of the PRC (Decree No.62 of the PRC, effective from October 1, 2007)
- Forest Law of the PRC (effective from January 1, 1985, amended on April 29, 1998)
- Grassland Law of the PRC (effective from October 1, 1985, amended on December 28, 2002)
- Administrative Measures for the Examination and Approval of Grassland Acquisition and Occupation (Decree No.58, Ministry of Agriculture of the PRC), effective from March 1, 2006
- Administrative Measures for the Examination and Approval of Woodland Acquisition and Occupation (Decree No.2 of the State Forestry Administration), effective from February 4, 2001
- Houses on state-owned land tax and compensation ordinance (order of the state council of the People's Republic of 590), effective from January 21, 2011
- Notice of **Assessment Methods for the Expropriation of House on State-owned Land**, House [2011] no. 77

121. Applicable policies of XUAR

- Circular of the XUAR CPC Committee and People's Government on Carrying through the Requirements of the CPC Central Committee and the State Council on Further Strengthening Land Administration and Protecting Farmland Practically (XUAR CPC Fa [1997] No.13, effective from June 27, 1997)
- Measures of XUAR for the Implementation of the Land Administration Law of the PRC (XUAR PC [1999] No.9-13, effective from October 1, 1999)
- Detailed Rules of XUAR for the Implementation of the Regulation on the Dismantlement of Urban Houses of the PRC (XUARG [2004] Decree No.127, effective from December 21, 2004)
- XUAR Development Planning Commission, Document DOF [XJJF (2001) No.500]
- Detailed Rules of XUAR for the Implementation of the Grassland Law of the PRC (effective from September 1, 1989, amended on December 11, 1997)

- The XUAR houses on state-owned land on valuation and compensation rules
- Reply to the agreement of adjusting the grassland compensation and resettlement fees standard, New Deal letter [2010] no. 91
- Measures of XUAR for the Implementation of the Forest Law of the PRC (effective from October 1, 2001)

122. Applicable policies of Burqin County

123. Implementing Regulations for Administration of Low-rent Housing for Urban Minimum-income Families in Burqin County

124. See Appendix 1 for the applicable provisions of some of the above regulations and policies.

4.2 Applicable provisions of PRC laws, regulations and policies

125. The Land Administration Law of the PRC and the Grassland Law of the PRC are the main policy foundation of land acquisition under the Project. In addition, the principles of compensation and resettlement, compensation rates, procedures and supervisory mechanism for pasture land acquisition have been defined by reference to the Measures of XUAR for the Implementation of the Land Administration Law of the PRC.

126. The main policy applicable to house demolition on state-owned land in the urban planning area is Houses on state-owned land tax and compensation ordinance (order of the state council of the People's Republic of 590), effective from January 21, 2011 and Notice of Houses on state-owned land tax assessment method, House [2011] no. 77;

4.3 Principles of and eligibility for compensation of the Project

4.3.1 Principles of compensation

127. The principles for compensation and entitlement of the Project have been formulated in accordance with the laws, regulations and policies of the Chinese government and ADB, with the aim of ensuring that displaced persons can obtain sufficient compensation and assistance measures so that their production and livelihoods are at least restored to pre-displacement levels. The resettlement principles are shown in Table 4-1.

Table 4-1 **Resettlement principles**

Principles	
1	Involuntary resettlement should be avoided where feasible.
2	The affected people are granted compensation and rights that can at least maintain or even improve their livelihoods in the absence of the project.
3	The affected people are given compensation and assistance in resettlement whether legal title is available or not.
4	If the land available to everyone is insufficient to maintain his/her livelihood, replacement in cash or in kind and other income-generating activities are provided for the lost land.
5	The affected people fully understand their entitlements, the method and standard of compensation, the livelihood and income restoration plan, and the project schedule, and participate in the implementation of the Resettlement Plan.
6	No land should be acquired before the affected people are satisfied with the compensation and resettlement (plan).
7	The executing agency and an independent agency / third party should monitor the compensation, relocation and resettlement operations.
8	The vulnerable groups (including women) are provided special assistance or treatment so that they lead a better life, and all affected people should have an opportunity to benefit from the project.
9	The Resettlement Plan is consistent with the master plans of the affected counties and towns.
10	The resettlement expenses are sufficient to cover all affected aspects.

4.3.2 Eligibility for compensation and beneficiaries

128. The cut-off date for definition of the eligibility for compensation is the date on which BCG confirms the RP. Affected people who are resettled in the affected areas, newly reclaimed farmland, newly built houses and other trees planted and facilities added purely for extra compensation after the cut-off date will not be entitled to compensation or subsidization.

4.4 Compensation rates

4.4.1 Compensation for acquisition of collective land

129. **Grassland** As for grassland compensation standard, Xinjiang Uygur Autonomous Region Development and Reform Commission, Ministry of Finance issued [2010] 2679 document Notice on Adjusting Charge Standard of Compensation and Resettlement Fees in Grassland, a new charge standard will be implemented based on it. Compensation standard in grassland shall be 6-10 times of average annual output value of three years of the grassland prior to the requisition; as for resettlement subsidy standard, similarly, shall be 4-6 times of average annual output value of three years of the grassland prior to the requisition, and shall not exceed 15 times of that to the maximum. Abovementioned grassland compensation fee and resettlement fees shall not exceed 30 times of the average annual output value three years of the grassland prior to the requisition.

130. Administration departments in Xinjiang Uygur Autonomous Region, along with departments in charge of price and finance issue, should further improve periodic evaluation and adjustment mechanism on grassland value, to regularly assess the value of grassland and determine the compensation base of grassland. The mechanism shall be promulgated and implemented after getting the approval from government of Xinjiang Uygur Autonomous Region.

131. Requisition standard of all the grassland in this project will be in accordance with [2010] 2679 document Notice on Adjusting Charge Standard of Compensation and Resettlement Fees in Grassland.

132. Burqin County Grassland Supervision Office assessed the value of the grassland affected by the water supply project, and confirmed it is Class 2 Grade 4 grassland, according to regulations in Article 39 of Grassland Law of P. R. China, Article 9, Article 10 and Article 11 of Management Measures on Examination and Approval of Grassland Requisition by Ministry of Agriculture, [2010] 2679 document by Xinjiang Uygur Autonomous Region Development and Reform Commission and Ministry of Finance, affected person The grassland average annual production of three years prior to the acquisition was assessed as 69 Yuan / mu (i.e. compensation base is 69 Yuan / mu), grassland compensation standard shall be 10 times of average annual output value of three years of the grassland prior to the requisition; resettlement subsidy standard shall be 6 times of average annual output value of three years of the grassland prior to the requisition. Compensation rates for state-owned land

133. The Project is a public program, where state-owned land will be acquired by allocation. For the allocated state-owned land, land use rights will be acquired by paying leasing fees at a rate of 8-15 yuan/m². The Project will involve acquisition of state-owned land within and out of the built-up area of Burqin County, and the compensation rate is 15 yuan/m² within the built-up area and 8 yuan/m² out of the built-up area; for land out of the built-up area to be occupied by the Project, the land and resources authority will further collect leasing fees for construction land. According to Attached Table 1 of Document [XJJF (2001) No.500] (Collection standard of leasing fees for new construction land of XUAR), the rate of leasing fees for construction land of Burqin County is 7 yuan/m².

134. For state-owned land of enterprises and institutions occupied, land use rights will be obtained by paying compensation fees based on the benchmark land price. The prevailing benchmark land prices of Burqin County are shown in Table 4-2.

Table 4-2 **Benchmark land prices of Burqin County**
Unit: yuan/m²

Grade	1	2	3
Commercial land	609	469	298
Housing land	426	278	176
Industrial land	296	185	96

4.4.2 Compensation rates for house demolition

4.4.2.1 Compensation rates for residential houses

135. The compensation rates for house demolition have been fixed by reference to the replacement costs of similar local housing in 2009; the final rates will be agreed between the demolisher and displaced persons on this basis after a field appraisal by a real estate appraisal and surveying company. Compensation for house demolition includes compensation for both house structure and state-owned land. See Table 4-3.

Table 4-3 **Compensation rates for urban residential houses**

Category	Item	Unit	Rate	Remarks
Residential house	House compensation			
	Masonry concrete	yuan/m ²	1180	
	Masonry timber	yuan/m ²	980	
	Earth timber	yuan/m ²	880	
	Simple structure	yuan/m ²	400	
	Land compensation			
	Leasing fees of state-owned land		Tier-3 areas: 176 yuan/m ²	
The following subsidies are provided for the affected households all of whose houses are demolished:				
Other compensation	Moving subsidy	yuan/household	800	For vulnerable groups, they will get additional 500 yuan subsidy.
	Transition subsidy (storied buildings)	yuan/month/household	500	The transition period will be calculated from the date of displacement to the date of move-back; a reasonable transition period is 6 months; compensation will continue beyond 6 months.
	TV displacement fee	yuan/household	108	
	Reward	%	1.5	1.5% of house compensation price

4.4.2.2 Compensation rates for commercial stores

136. The compensation rates for premises of commercial stores involved in the Project are appraised pursuant on policies and by reference to location, as shown in Table 4-4. According to the socio-economic survey result in table 2-6, the profit of this shop per month is 1,000 yuan, so 1500 yuan per month is higher. The shop is operated by the family and no employee will be affected.

Table 4-4 Compensation rates for commercial stores

Category	Item	Unit	Rate	Remarks
House	House compensation			
	Masonry concrete structure	yuan/m ²	2100	
	Land compensation			
	Leasing fees of state-owned land	Tier-3 areas: 298 yuan/m ²		
Other compensation	Moving subsidy	yuan/household	2000	
	Business subsidy	yuan/household/month	1500	The transition period will be calculated from the date of displacement to the date of move-back; a reasonable transition period is 6 months; compensation will continue beyond 6 months.

137. The resettlement option for the commercial store will be determined in consultation with the owner based on its location, traffic condition, monthly turnover, area and structure. A shop front of the same size or cash compensation will be offered as the owner may wish.

4.4.2.3 Compensation rates for affected enterprises and institutions

138. The compensation rates for demolition of premises of enterprises are shown in Table 4-5. If losses are incurred due to suspension of production, a certain amount of compensation will be paid based on mutual consultation during project implementation. There will be no impact on production..

Table 4-5 Compensation rates for business premises

Category	Item	Unit	Rate	Remarks
House	House compensation			
	Masonry concrete	yuan/m ²	1080	
	Masonry timber	yuan/m ²	880	
	Earth timber	yuan/m ²	780	
	Simple structure	yuan/m ²	400	
	Land compensation			
	Land compensation fees	yuan/m ²		Tier-3 areas: 96 yuan/m ²
Other compensation	Moving subsidy	3,000 yuan		
	Transition subsidy	4,000 yuan		

4.4.3 Compensation for temporary land occupation

4.4.3.1 Woodland

139. Temporary land occupation will involve state-owned barren woodland in Burqin County. Relevant fees will be paid according to the Regulations on the Implementation of the Forest Law of the PRC, Document (XUAR GO Fa [2008] No.39) of the General Office of the XUAR Government and the Administrative Measures for the Examination and Approval of Woodland

Acquisition and Occupation of XUAR, including forest compensation fees, woodland compensation fees, resettlement subsidy for woodland and forest vegetation restoration fees. The fee rates are shown in Tables 4-6 to 4-9.

Table 4-6 Compensation rates for forests

Species	Unit	Tree specification (breast diameter, cm)	Compensation rate (yuan)
Shrub land	Mu	<5cm	100

Table 4-7 Compensation rates for woodland

Forest type	Base amount (yuan)	Multiple
Shrub land	Coverage 20% -40% 300	10

Table 4-2 Resettlement subsidy for woodland

Forest type	Base amount (yuan)	Multiple
Shrub land	Coverage 20% -40% 300	6

Table 4-9 Forest vegetation restoration fees

Type	Restoration cost per unit area (yuan/m ²)
Open forest land, shrub land	3

4.4.3.2 Pasture land

140. Pasture land will be compensated for according to Document [XJJF (1999) No.3] and Document [XFGJF (2005) No.1138] of the XUAR Development Planning Commission and Department of Finance: If grassland is to be used temporarily for sand digging, ore mining, earth borrowing, gold mining, geographic (petroleum) exploration, pipeline laying or scenic spot construction, compensation fees for temporary use of grassland shall be paid to a county-level or above grassland monitoring and supervision agency at 120 yuan/mu, which will be used for vegetation restoration.

141. According to the data provided by the county stockbreeding authority, the stock capacity per unit of productivity (middle level) of the Altay region (an indicator of productivity of pasture land, usually meaning the amount of livestock that can be herded in a unit area of pasture land) is 1.76 ha/head of sheep, namely 26.4 mu of pasture land/head of sheep; 0.038 head of sheep will be herded on one mu of pasture land acquired. This means that one mu grass land can bring 0.038x300 (value of one sheep) = 11 yuan. 120 yuan/mu is nearly 10 time of annual net income.

Compensation rates for attachments

142. See Table 4-10 for the compensation rates for affected attachments and special facilities.

Table 4-10 Compensation rates for affected attachments and special facilities

Item	Unit	Qty.	Rate
Big tree (non-fruit)	/	58	80
Small tree (non-fruit)	/	36	35
Fruit tree (usable as timber)	/	20	120
Fruit tree (small sapling)	/	20	60
Pressure well	/	24	660
Toilet	/	24	1200

4.4.4 Other costs and taxes

143. The rates of other costs of land acquisition and house demolition are shown in Table 4-11.

Table 4-3 Rates of other costs

No.	Item	Rate
1	Land acquisition management fees	4% of land acquisition and resettlement compensation fees
2	Survey, design and scientific research fees	3% of land acquisition and resettlement compensation fees
3	Implementation management fees	3% of land acquisition and resettlement compensation fees
4	Technical training fees	1% of land acquisition and resettlement compensation fees
5	M&E fees	1.5% of land acquisition and resettlement compensation fees
6	Contingencies	8% of land acquisition and resettlement compensation fees

4.4.5 Vulnerable groups

144. The 3 vulnerable group households affected by the Project are entitled not only to the above compensation and the policy of Burqin County for urban minimum living security, but also to some other preferential policies:

- (1) Such households will have priority in selecting a resettlement house of desired floor, location and layout;
- (2) If necessary, such households may apply for low-rent housing with governmental assistance.
- (3) They will get additional 500 yuan moving subsidy.

4.5 Entitlement matrix

Table 4-4 Entitlement matrix

Type of impact	Degree of impact	Affected people	Rights	Compensation policies and rates
Permanent acquisition of collective land	280.51 mu of collective land will be acquired, all being pasture land (131.61 mu in Halagou Village, 16.65 mu in Sartlic Village and 132.25 mu in Hatai Village)	35 households with 134 persons in 3 villages	(1) Receiving grassland compensation fees and resettlement subsidy; (2) Receiving stockbreeding training, at least once per household	Grassland monitor institution provide the grassland production value assessment, and determine the prairie compensation base, The grassland compensation is 6 to 10 times its average annual output value of in the last three years and Resettlement fees is 4 to 6 times its average annual output value of in the last three years. Above the prairie compensation and resettlement fees for concerned shall not exceed 30 times its average annual output value of in the last three years.
Demolition of urban residential houses	Total demolition area 3,608.07 m ² , 78.2 m ² in masonry concrete structure, 1,275.58m ² in masonry timber structure, 2,126.99m ² in earth timber structure and miscellaneous houses of 127.3m ²	24 households with 70 persons in 2 communities	(1) Receiving house compensation at replacement cost; (2) Selecting a resettlement mode voluntarily, including property swap and purchase of commercial or affordable housing; (3) Applying for low-rent housing for low-income households; (4) Being granted transition and moving subsidies, and TV displacement fee, etc. (5) For households with living difficulty and one house only with a building area of less than 40 m ² , which select property swap, the demolisher will offer a suite with a building area of 69 m ² without regard to price difference.	Masonry concrete structure: 1080 yuan/m ² ; Masonry timber structure: 880 yuan/m ² ; Earth timber structure: 780 yuan/m ² ; Simple structure: 400 yuan/m ² . Moving subsidy: 800 yuan/household; Transition subsidy: 500 yuan/household/month, with a basic period of 6 months; if the basic period is exceeded, the transition subsidy will be based on the actual length; TV displacement fee: 108 yuan/household; Reward: 1.5% of house compensation fees Compensation for state-owned land: 176/m ²
Relocation of commercial stores	120m ² , in masonry concrete structure	One household with 2 persons	(1) Receiving house compensation at replacement cost; (2) Being granted transition and moving subsidies; (3) Selecting a resettlement mode voluntarily, including cash compensation and property swap	Masonry concrete structure: 2100 yuan/m ² ; Masonry timber structure: 1400 yuan/m ² ; Earth timber structure: 1,000 yuan/m ² , Moving subsidy: 2,000 yuan/household; Reward: 1.5% of house compensation fees Transition subsidy: 1500 yuan/household/month, with a basic period of 6 months; if the basic period is exceeded, the transition subsidy will be based on the actual length; Compensation for state-owned land: 298 yuan/m ² .
Relocation of enterprises and institutions	One enterprise, whose premises will be demolished partially for an area of 1,510 m ²	Business owners	(1) Receiving house compensation at replacement cost; (2) Receiving reward and moving subsidy, etc.; (3) Receiving compensation for business losses	Masonry concrete structure: 1080 yuan/m ² ; Masonry timber structure: 880 yuan/m ² ; Earth timber structure: 780 yuan/m ² ; Simple structure: 400 yuan/m ² .

Type of impact	Degree of impact	Affected people	Rights	Compensation policies and rates		
				Reward: 1.5% of house compensation fees Moving subsidy: 3,000 yuan/household; Transition subsidy: 4,000 yuan/household/month, with a basic period of 6 months; if the basic period is exceeded, the transition subsidy will be based on the actual length; If losses are incurred due to suspension of production, a certain amount of compensation will be paid based on mutual consultation. Compensation for state-owned land: 96 yuan/m ² .		
Vulnerable groups	3 households with 7 persons	3 households with 7 persons	(1) During project construction, labor from vulnerable group households will be recruited to do unskilled jobs first; (2) If necessary, such households may apply for low-rent housing with governmental assistance. (3) They will get additional 500 yuan moving subsidy.	Refer to the compensation rates for demolition of residential houses.		
Ethnic minorities	151 persons	17 persons affected by house demolition and 134 persons by land acquisition	(1) Receiving land compensation fees (2) Priority in employment (3) Receiving stockbreeding training (4) A training budget of 30,000 yuan for ethnic minorities and vulnerable groups	The compensation rates for land acquisition and house demolition are the same as above.		
Women	59 persons	20 persons affected by house demolition and 39 persons by land acquisition	(1) Having priority in receiving unskilled job opportunities arising from the Project (2) Giving priority to female labor in labor training (40%), so that their economic status will not be reduced. (3) Ensuring that they receive relevant information during resettlement and are able to participate in consultation	The compensation rates for land acquisition and house demolition are the same as above.		
Ground attachments and public facilities	Including public toilets, trees, enclosures, etc.	Proprietors	The compensation for ground structures or attachments is paid to proprietors. Compensation will be paid at replacement cost or such facilities restored by the demolisher to the original size and standard.	Item	Unit	Rate
				Big tree (non-fruit)	/	80
				Small tree (non-fruit)	/	35
				Fruit tree (usable as timber)	/	120
				Fruit tree (small sapling)	/	60
				Pressure well	/	660
				Toilet	/	1200

5 Resettlement Measures

5.1 Objectives of resettlement

145. The objectives of resettlement have been determined as follows based on the actual standard of living of the displaced persons in 2009, and the 11th five-year national economic and social development plan and 2015 long-term goals of Burqin County:

146.(1) The annual per capita net income of the displaced households is restored to the pre-displacement level, and further improved in step with regional economic growth rate;

147.(2) The living environment of the displaced households is at least restored to the pre-displacement level or improved;

148.(3) The utilities, infrastructure, cultural, educational and sanitary facilities, and natural environment available to the displaced persons are equivalent or better than pre-displacement conditions; and

149.(4) All affected land attachments are compensated for at replacement cost; public buildings and special facilities are compensated for at replacement cost and restored to the original standard.

5.2 Principles of resettlement restoration

150. According to the applicable laws and regulations of the PRC and ADB's Policy on Involuntary Resettlement, the following basic principles will apply to the resettlement work of the Project:

151.(1) Since the Project is constructed in a linear form, the design route may be modified appropriately to minimize the affected areas and resettlement;

152.(2) Implement resettlement and the applicable compensation policies properly to improve or at least restore the production level and standard of living of the affected residents;

153.(3) The RP shall be prepared based on physical indicators and compensation rates for land acquisition and house demolition. Resettlement works shall be constructed according to the original size and standard according to the requirements of quota planning, so that there is no investment gap;

154.(4) The affected people shall be fully consulted for resettlement options;

155.(5) The planning layout shall be determined on the principle of "facilitating production and life"; and

156.(6) Resettlement shall be combined with the local urban development, resources development, economic development and environmental protection programs. Feasible measures shall be designed to restore and improve the displaced persons' production level and standard of living, and create necessary conditions for their self-development.

5.3 Summary resettlement option for villages affected by pasture land acquisition

157. Permanent acquisition of collective land will involve 3 villages, which are Halagou, Hatai and Sartlic Villages; all land to be acquired of 287.32 mu is pasture land.

158. The analysis of Section 2.4.1 has revealed that for the 35 households affected by land acquisition, only one has a land loss rate of over 1% (1.7%), and that of the other 34 is 0.2% only. According to the data supplied the county stockbreeding authority, the stock capacity per

unit of productivity of the Altay region (an indicator of productivity of pasture land, usually meaning the amount of livestock that can be herded in a unit area of pasture land) is 1.76 ha/head of sheep, namely 26.4 mu of pasture land/head of sheep; 0.038 head of sheep will be herded on one mu of pasture land acquired. It can be seen that pasture land acquisition will have little impact on herdsmen.

159. Affected by the water supply project, 16.65 mu of pasture of Aterhan family in Sartlic village will be requisitioned, Aterhan family had 12052 mu of pasture before requisition, so grassland loss rate will be 0.14%, a small impact to the family. Burqin County Grassland Supervision Office assessed the value of affected grassland, and confirmed it is Third Class Seven Level grassland, according to regulations in Article 39 of Grassland Law of P. R. China, Article 9, Article 10 and Article 11 of Management Measures on Examination and Approval of Grassland Requisition by Ministry of Agriculture, [2010] 2679 document by Xinjiang Uygur Autonomous Region Development and Reform Commission and Ministry of Finance, affected person Aterhan shall be compensated with grassland compensation fees and grassland resettlement fees. The grassland average annual production of three years prior to the acquisition was assessed as 69 Yuan / mu (i.e. compensation base is 69 Yuan / mu), grassland compensation standard shall be 10 times of average annual output value of three years of the grassland prior to the requisition; resettlement subsidy standard shall be 6 times of average annual output value of three years of the grassland prior to the requisition. In the light of this calculation method, Aterhan shall be paid 11,500 Yuan grassland compensation fee and 6,900 Yuan grassland resettlement subsidy fee.

160. Through negotiation, Aterhan has signed Grassland Compensation Requisition Agreement with Project Office. Aterhan actively supported the Project for the simple reason he think the construction of water supply project will improve drinking water security situation. Besides, Xinjiang Uygur Autonomous Region Development and Reform Commission, Ministry of Finance issued [2010] 2679 document, compensation standards in this new document are higher than that in previous document. He believes compensation is reasonable. He also hopes the Project could be completed in the earliest time so as to improve the Burqin County drinking water situation.

161. According to the survey of the 35 affected households, all of them expect timely cash compensation and support the Project highly; the amount of pasture land acquired is very small, and has little impact on them. After receiving the compensation, some herdsmen wish to buy a truck for sheep flock transfer or for rent; some wish to increase income by buying fine breeds and further developing stockbreeding; some others wish to send their children to better schools to receive better education.

162. During project construction, the implementing agency will take some measures to support the displaced persons, including:

a) Making job opportunities available first to the displaced persons to generate cash income;

b) During production restoration, it will give technical training on cash crop cultivation and stockbreeding, etc. to the affected people, and invite technicians of the stockbreeding, and labor and social security authorities to give stockbreeding training to herdsmen, so that each affected household receives training on stockbreeding and nonagricultural production skills at least once. These measures will improve stockbreeding skills, improve the affected people's income, and restore their livelihoods.

5.4 Resettlement options for displaced households

163. The households affected by house demolition may select the resettlement mode of cash compensation or property swap. After receiving the compensation for house demolition, the displaced persons may select either resettlement mode based on their affordability or personal needs, namely cash compensation, buying commercial housing or exchanging for resettlement housing.

5.4.1 Property swap

164. In this mode, a real estate appraisal agency will appraise a house and determine its appraised price based on its location, structure, building area, floor and decoration, and by reference to the displaced person's opinion; if the displaced person agrees with property swap, an area ratio of 1:1.2 will apply, and a decoration fee of 10,000-25,000 yuan will be paid depending on the decoration level of the house.

165. According to the willingness survey, 100% of the 24 displaced households have chosen property swap. Before house demolition, urban residential houses are in earth timber and masonry timber structures mainly, out of repair, without central heating, water supply and drainage systems, with a poor surrounding environment and bad road conditions.

166. The resettlement community is located on Wolongwan Road West, Burqin County, convenient in traffic and close to Burqin Tourist Guesthouse. There is a green space, a leisure square and a music fountain nearby. This community is less than 10 minutes' walk from the No.3 Primary School, county hospital and electric power company, and will have great potential of appreciation. The resettlement building has a total building area of 4,944.30m², a floor area of 840.70 m² and an overall height of 18.75m. There are two layouts (2 bedrooms and 2 living rooms, and 3 bedrooms and 2 living rooms), and 6 sizes (74 m², 79 m², 87 m², 95 m², 104 m² and 113m²). The resettlement community is shown in Figures 5-1 and 5-2.

167. Any displaced person who selects property swap will be subject to an area ratio of 1:1.2 and receive a decoration fee of 10,000-25,000 yuan. For example, a 3-member household with a masonry timber house of 80m² will obtain a 95m² house with 3 bedrooms and 2 living rooms through property swap.

168. For households with living difficulty and one house only with a building area of less than 40 m², which select property swap, the demolisher will offer a suite with a building area of 69 m² without regard to price difference.



Figure 5-1 Resettlement community for displaced households Figure 5-2 Resettlement community for displaced households

5.4.2 Cash compensation and purchase of commercial housing

169. Displaced persons who do not select property swap may ask for cash compensation. To meet their personal needs, they may buy commercial or resettlement housing in the Burqin County town. Of course, they may also buy housing out of the county town.

170. In order to build county town into a national landscaped county town, the county government carries through the provisions of the State Council on strengthening urban landscaping, and has increased the investment in parks, pleasure grounds, green spaces and road landscaping. The scenic spot Kanas Natural Reserve will promote the development of the Burqin County town. In recent years, with the rapid development of the local economy and tourism, many real estate developers have entered into the county, heating up the real estate market. Therefore, resettlement is an opportunity for housing condition improvement; some displaced households prefer cash compensation in order to buy suitable commercial housing.

171. **Case:** A 3-member household with a masonry timber house of 70m² and an earth timber house of 50m² will receive: (1) compensation fees for demolished houses and attachments at replacement cost of 112,600 yuan; (2) leasing fees of state-owned land of 69,500 yuan; (3) a moving subsidy 2,400 yuan; and (4) a moving reward of 1,689 yuan, totaling 186,189 yuan.

172. According to information on the real estate market of Burqin County in the first half of 2010, the average housing price is 1,700 yuan/m². With the above sum, this household can buy a 90m² commercial house with 2 bedrooms and 2 living rooms. The surplus of 30,000 yuan may be used for business investment, etc. The commercial house is provided with water supply, drainage and central heating facilities, and has a better living environment and structure.

5.4.3 Support for vulnerable groups

173. All the 3 vulnerable group households involved in the Project will be displaced. They may choose property swap or cash compensation. Based on consultation, they prefer property swap, because they have a large living space, and can exchange it for a smaller house and use the surplus for livelihood improvement or other purposes. According to the policy of Burqin County on house demolition, special households (e.g., with an old or displaced person) can have priority in selecting a lower-floor house for convenience. See Table 5-1.

174. For example, Xue Xiu'e's 133.18 m² houses will be demolished. She can use 60 M² to get a 75 m² apartment for living. And for other 73.18 m² houses, based on the compensation rates, she may can receive around 64,000 cash compensation.

Table 5-1 Willingness to resettle of vulnerable groups

No.	Householder	Demolition area (m ²)	Resettlement option	Cause analysis
1	Yang Dianhua	277.08	Property swap	I live mainly on MLS. Since I'm old, I want a smaller and lower-floor house, and use the surplus of the compensation for livelihood improvement.
2	Wang Yuying	124.82	Cash or property swap	I want a smaller and lower-floor house or cash compensation. I will move to my son's house to take care of my grandchild.
3	Xue Xiu'e	133.18	Cash or property swap	I'm old and inactive. After receiving the cash compensation, I will move to my son's house to take care of my grandchild. I may also choose property swap if my son prefers.
Total	3	535.08		

5.4.4 Application procedure

175. After the compensation agreement is entered into, a household that selects cash compensation will receive full cash compensation directly; a household that selects property swap will select a house of desired floor, area and orientation, and enter into a contract, specifying the floor, area and orientation of the selected house. Those who sign the contract first will select a house first.

5.5 Restoration of commercial stores

176. According to the survey, one commercial store located on Baihuayuan Road in the Burqin County town will be affected by the Project. The County PMO will give a prior notice to the store owner, who may exchange the store for a shop front in the county town or use the compensation to buy or rent a shop front nearby to carry on his business. Since the affected person has sufficient business experience and is familiar with the surrounding environment, he will resume business within 2-3 months. After the road is completed, there will be a greater traffic and passenger flow, and his business will be better.

177. The rental of a shop front at the center of the Burqin County town is usually 7-8 yuan/m²/month, and its purchase price is usually 2,000-2,300 yuan/m². Based on estimates, the store to be demolished is in masonry concrete structure with a building area of 120m². Compensation fees for demolished houses and attachments at replacement cost of are 252,000 yuan, leasing fees of state-owned land (Tier-3 areas) 120*298=35760 yuan, moving subsidy 2,000 yuan, and moving reward 3800 yuan, totaling 293,590 yuan. Based on an average purchase price of 2,000 yuan/m², he can buy a 130m² secondhand shop front in the same area.

5.6 Restoration of enterprises and institutions

178. The affected enterprise is Taiyun Group Burqin Branch, which is a private enterprise specializing in automobile repair and driver training. It has a regular workforce of 40 and 27 casual workers. Its training ground in the east courtyard will be affected by the Project only, and its business operation will not be affected.

5.7 Training

179. In addition to cash compensation, farmers and displaced households affected by land acquisition will be offered opportunities of skills training. 300 men-times will be trained in total under the Project. At least, for each affected household, they can get at least 3 person times of training. Also, 40% of the training person times will be provided to female members.

180. (1) Scope of training. According to the industry structure and market demand of Burqin County and the surrounding areas, vocational skills training will be given with focus on planting, stockbreeding and services. The types of work suitable for training include domestic animal raising, livestock and poultry breeding, motorcycle repair, masonry, building painter, electric welding and clothes cutting, etc.

181. (2) Modes of training. The main modes of training are vocational skills training, single skill training and job training. Vocational skills training is governed by the administrative authority of labor and social security, and given by education and training institutions, industrial organizations and employers, with focus on agricultural techniques, stockbreeding and forest planting.

182. (3) Organization. BCG has established the Burqin County Leading Group of Surplus Rural Labor Transfer, Employment and Training and the Burqin County ADB Project Skills Training Workgroup for Land-expropriated Farmers/People Affected by House Demolition. The

office is at the Burqin County Personnel, Labor and Social Security Bureau. Leading groups have been established at the township level.

183.(4) Availability of funds. The total training costs of the Project are 92,400 yuan, in which the costs dedicated to ethnic minorities and vulnerable groups are 30,000 yuan, while the remaining 62,400 yuan will be used for other land-expropriated farmers/displaced households. The training costs include organizational funds, teaching material, printed material, evaluation and practice costs, and trainer remuneration, and will be paid by the Burqin County ADB Project Skills Training Workgroup for Land-expropriated Farmers/People Affected by House Demolition in a unified manner.

5.8 Protection of women's rights and interests

184. Women will participate in resettlement activities through information disclosure and villager meeting; they will enjoy the same rights in compensation, employment and training under the Project as men. In addition, the following measures will help women restore income.

185.① During project construction, a certain number of women will receive unskilled job opportunities. In addition, they will receive equal pay for equal work;

186.② Skills training will be offered to the affected female labor first, including hour labor, hairdressing and beauty care, so that their economic status will not be reduced;

187.③ During project operation, cleaning and landscaping jobs will be provided to the affected women to ensure their income restoration;

188.④ The affected women will receive relevant information during resettlement and participate in public consultation and resettlement. The compensation agreement must be signed by a couple.

5.9 Ethnic minority development

189. Among the population affected by house demolition, there are 40 minority households with 151 persons, who are mainly Kazakhs, Uygurs and Hui people.

190. In terms of land acquisition, house demolition and resettlement, ethnic minorities will enjoy the same rights as the Han people, and have priority in employment and skills training. A special EMDP has been developed to promote the development of ethnic minorities. See the EMDP report.

5.10 Restoration of infrastructure and ground attachments

191. The affected infrastructure and ground attachments will be compensated for the County PMO to their proprietors for restoration and rebuilding. Restoration measures must be planned in advance, and suited to practical conditions, so as to be safe, efficient, timely and accurate, with minimum adverse impact on nearby residents.

192. The affected municipal facilities will be demolished by the demolisher according to the construction drawings of the Project so as not to affect project construction and minimize displacement.

193. The affected infrastructure includes canals, small bridges and water supply pipelines, etc., which will be restored with the construction of the new roads. New bridges, culverts and water supply pipelines have been designed in the Project FS Report to replace the functions of the existing special facilities, and the corresponding investment has been included in the general budget of the Project and will no longer be included in the RP. For affected trees, the affected people or collectives will be compensated in cash directly.

6 Public Participation and Grievance Redress

194. According to the state, provincial (autonomous region), municipal and county policies and regulations on resettlement, the policies and implementation rules of land acquisition, house demolition and resettlement of the Project, and the RP have been further improved, and the organizing work for resettlement done properly in order to maintain the lawful rights and interests of the displaced persons and entities, reduce grievances and disputes, and realize the goal of proper resettlement. Great attention will be paid to the participation of and consultation with the displaced persons at the resettlement policy-making, RP preparation and implementation stages of the Project.

6.1 Consultation during project preparation

6.1.1 Completed public participation activities

195. In August and September 2009, the RP preparation agency and County PMO conducted a preliminary housing condition and socioeconomic survey of the affected areas. During May 11-13, 2010, the ADB resettlement TA experts, and the relevant staff of the RP preparation agency and County PMO conducted a supplementary survey and interview of the persons and entities affected by the Project; and a series of socioeconomic survey and public consultation activities (with 38% being women). Heads, displaced person representatives, entity leaders and commercial store owners of the two communities and 5 villages (Youyifeng Community, Meilifeng Community, Halagou and Hatai Villages, Woyimoke Xiang, Irtysh, Halatar and Sartlic Villages, Dulaiti Xiang) of Burqin County affected by the Project participated in the survey and consultation. For ethnic minority households, interpreters were employed for smooth communication. See Appendix 3 for the detailed interview and public participation records.

196. In July 2011, Burqin County Construction Bureau review the people and physical quantity affected by water supply plant project, confirmed the compensation agreement which includes influence of the final amount of land acquisition and house demolition.

197. Representatives of the affected people participated in many consultation meetings, and gave opinions on the project design, and compensation and resettlement for land acquisition and house demolition. A socioeconomic survey, a public opinion survey and a mentality survey were conducted. The socioeconomic survey addressed the displaced persons' willingness for resettlement and attitude toward the Project. These opinions have been well incorporated into the project design and the RP.

198. These meetings and surveys have played an important role in fixing reasonable compensation rates, and discussing income restoration programs and training programs. It was found through the public participation meetings and socioeconomic survey that the affected households are concerned about the following:

- (1.) Since land acquisition area is small, the greatest concern of the households affected by land acquisition is that reasonable and timely compensation should be granted according to state policies. They also expect stockbreeding training.
- (2.) In terms of house demolition, the affected households are first concerned about the compensation rates, then the resettlement site, and finally livelihoods during the transition period;
- (3.) The displaced households can accept moving from single-story buildings to storied buildings, and regard this as an opportunity for housing condition improvement;
- (4.) Women think that after they move into storied buildings, the winter heating problem will be solved, which will reduce their labor intensity and heating costs.
- (5.) Taiyun Group Burqin Branch thinks its business operation will not be affected greatly.
- (6.) The owner of Baishun Store expects that the demolition time be notified in advance

So that he can make arrangements accordingly. .Based on the above discussion, the County PMO will:

- (1.) Discuss the feasibility of improving the road design with the FS preparation agency based on the concerns of the affected households, avoiding substantial land acquisition and house demolition;
- (2.) Discuss resettlement options that meet the displaced persons' willingness with the county government to cover the resettlement of the displaced households, and the training for them together with the labor and social security authority;
- (3.) Discuss resettlement options that meet the displaced persons' willingness with the house demolition management authority and resettlement housing construction agency, where the house demolition management authority will further explain the policies and compensation rates for house demolition to the affected households, and the resettlement housing construction agency will disclose the construction progress of the resettlement housing to the affected households periodically. For the concerns of the affected households during the transition period, the County PMO will ensure that the resettlement housing is completed as soon as possible, pay a transition subsidy to the affected households, and grant material and monetary subsidies to vulnerable groups to help them get through the transition period. Some important consultation activities/meetings at the preparatory stage are outlined in Table 6-1.

Table 6-1 **Key public participation activities during project preparation**

Organizer	Date	Participant	Number of persons	Purpose	Key opinions/details
County PMO and design agency	May-Jun. 2009	Affected people, village officials, engineering technicians	120	Project resettlement, field investigation, preliminary project impact survey	Introducing the background and purpose of the Project Minimizing farmland occupation
Task force of County PMO	Aug.-Sep. 2009	Meilifeng Community, Youyifeng Community, Halagou Village, Hatai Village, etc.	62	RP preparation, socioeconomic survey	Assisting in the project impact survey Villagers expressed strong support for the Project Socioeconomic survey and displaced household survey
TA consultants, County PMO, design agency	May 2010	Meilifeng Community, Youyifeng Community, Halagou Village, Hatai Village, etc.	80	Preparing an income restoration plan	Consultation of compensation and income restoration programs
County PMO	Jul. 2011	Land acquisition families caused by water supply	6	consulting compensation plan and compensation standards	Accept the new grass compensation standards

6.1.2 Completed public opinion survey

199. In August and September 2009, a survey was made of the physical indicators of the affected population, houses, land and special facilities, as well as the affected residents and rural collective economic organizations. During May 11-13, 2010, the ADB resettlement TA experts, and the relevant staff of the RP preparation agency and County PMO conducted a supplementary survey of the physical indicators of the affected population, houses, land and special facilities, as well as the affected residents and rural collective economic organizations, and a public opinion and advice survey of the people and entities affected by the Project.

200. In July 2011, Burqin County Construction Bureau review the people and physical quantity affected by water supply plant project, confirmed the compensation agreement which includes influence of the final amount of land acquisition and house demolition.

201. The respondents included 59 households of residents affected by land acquisition and house demolition, 83 stockbreeding households affected by temporary land occupation (one is affected by both land acquisition and temporary land occupation, and included in the 59 households above). These surveys were designed to make the implementing and design agencies clear about the local conditions and the concerns of the affected people. The survey results reveal that of the 142 respondents 83.53% know that the Project is about to be constructed, 16.47% are not quite clear or don't know; 88.28% approve of the Project, and 8.53% don't care; 39.57% think unsound infrastructure makes their work and life inconvenient, 31.44% think this affects quality of life, 16.52% think this affects investment environment and 12.47% think this affects urban image; 88.21% think unsound infrastructure affects life and work seriously, and 9.86% don't think so; 17.17% think the Project will improve their living environment, 15.63% think it will improve their working environment, 55.43% think it will increase job opportunities, and 11.67% think it will promote physical and mental health; 56.08% know or partly know the policies for land acquisition, house demolition compensation and resettlement, and 92.37%

know the means of appeal when your lawful rights and interests are infringed on during land acquisition and house demolition. See Table 6-2.

Table 6-2 **Public opinion and mentality questionnaire**

	Question	Answer 1		Answer 2		Answer 3		Answer 4		Answer 5	
		Answer 1	Result (%)	Answer 2	Result (%)	Answer 3	Answer 1	Result (%)	Answer 2	Result (%)	Answer 3
1	Are you clear that the Project will be built?	Yes	83.53	Not clear	11.65	No	4.82	—	—	—	—
2	Do you approve of the construction of the Project?	Yes	88.28	No	3.19	Don't care	8.53	—	—	—	—
3	Your expected possible impact of unsound infrastructure	Inconvenience of life and work	39.57	Reducing quality of life	31.44	Affecting investment environment	16.52	Affecting urban image	12.47	—	—
4	To what extent unsound infrastructure will affect your life and work?	No	1.93	Slight	9.86	Serious	84.58	Very serious	3.63	—	—
5	Possible benefits of the Project for you	Improving living environment	17.17	Improving working environment	15.63	Increasing job opportunities	55.43	Promoting physical and mental health	11.77	—	—
6	Adverse impacts of the Project on you	No adverse impact	2.19	Affecting traffic	27.36	House demolition may cause economic losses.	33.45	Land acquisition may reduce income.	32.74	Other	4.46
7	Do you know the compensation and resettlement policies for land acquisition and house demolition?	Yes	36.14	Somewhat	19.94	No	43.92	—	—	—	—
8	Do you know the means of appeal when your lawful rights and interests are infringed on during land acquisition and house demolition?	Yes	92.37	No	7.63	—	—	—	—	—	—
9	Do you know that the Project will cause temporary land occupation?	Yes	37.53	Not clear	35.62	Not clear	26.85	—	—	—	—
10	Will temporary land occupation have any adverse impact on your life and production?	Yes	12.46	No	35.69	Not clear	48.15	—	—	—	—

6.2 Public participation and consultation plan

202. With the progress of project preparation and implementation, the County PMO, communities, entities, commercial stores and village collectives will conduct further public participation, including discussion of resettlement housing construction, area and layout; scope of training for the affected people; issues arising from construction and solutions; listening to the affected people's opinions and expectations during implementation; disclosure of compensation rates and means of appeal; understanding the implementation of the RP and the livelihood restoration of the affected people. The public participation plan is shown in Table 6-3.

Table 6-3 Public participation plan

Purpose	Mode	Time	Agency	Participant	Topic
Disclosure of the RP or RIB	Distribution of RIB	Oct. 2010	County PMO	Affected people	Publication of compensation rates and means of appeal
Disclosure of the RP	ADB website	Aug. 2010			
Land acquisition announcement	Village / community bulletin board, village/ resident meeting	May. 2011	County PMO	All affected people	Disclosure of land acquisition area, compensation rates and resettlement modes, etc.
Announcement of compensation and resettlement option for land acquisition	Village bulletin board and villager meeting	Mar.-Oct. 2011	County PMO, sub-district offices, village officials	All affected people	Compensation fees and mode of payment
Disclose result of DMS and updated RP	Field survey	Jul.-Aug. 2011	County PMO, sub-district offices, village officials	All affected people	Finding out anything omitted to determine the final impacts List of occupied land and lost properties of displaced persons Preparing the basic compensation contract
Determination of income restoration plan	Villager meeting	Jul 2011	County PMO, sub-district offices, village officials	All affected people	Discussing the final income restoration plan and the plan for use of compensation fees
Disclosure of compensation fees and date of payment	Villager meeting	Jul. 2011	County PMO, sub-district offices, village officials	All affected people	Disclosure of compensation fees and date of payment
Monitoring of the affected people	Door-to-door interview	Oct. 2011	County PMO, sub-district offices, village officials	Random sampling	Understanding the implementation of the RP and the livelihood restoration of the affected people

6.3 Appeal procedures

203. Since public participation is encouraged during the preparation and implementation of the RP, no substantial dispute will arise. However, unforeseeable circumstances may arise during this process. In order to address issues effectively, and ensure the successful implementation of project construction and land acquisition, a transparent and effective grievance redress mechanism has been established, as shown in Figure 6-1. The basic means of appeal is as follows:

204. Stage 1: If any displaced person is dissatisfied with the RP, he/she can report this to village/community committee orally or in writing. In case of an oral appeal, the village/community committee shall make a disposition and keep written records. Such appeal should be solved within 2 weeks;

205. Stage 2: If the displaced person is dissatisfied with the disposition of Stage 1, he/she may file an appeal to the township government/urban district office after receiving such disposition, which shall make a disposition within 2 weeks;

206. Stage 3: If the displaced person is dissatisfied with the disposition of Stage 2, he/she may file an appeal to the Burqin County Land and Resources Bureau (BCLRB) / House Demolition Management Office (HDMO) after receiving such disposition, which shall make a disposition within 30 days;

207. Stage 4: If the displaced person is still dissatisfied with the disposition of Stage 3, he/she may apply for administrative reconsideration with the County PMO or file an administrative action in the county people's court in accordance with the Civil Procedure Law of the PRC after receiving such disposition.

208. Displaced persons may file an appeal on any aspect of resettlement, including compensation rates, etc. The above means of appeal, and the names, locations, persons responsible and telephone numbers of the appeal accepting agencies will be communicated to the displaced persons at a meeting, through an announcement or the RIB, so that the displaced persons know their right of appeal. Mass media will be used to strengthen publicity and reportage, and comments and suggestions on resettlement from all parties concerned will be compiled into messages for disposition by the resettlement organization at all levels.

209. All agencies will accept grievances and appeals from the affected people for free, and costs so reasonably incurred will be disbursed from the contingency costs. During the whole construction period of the Project, these appeal procedures will remain effective to ensure that the affected people can use them to address relevant issues.

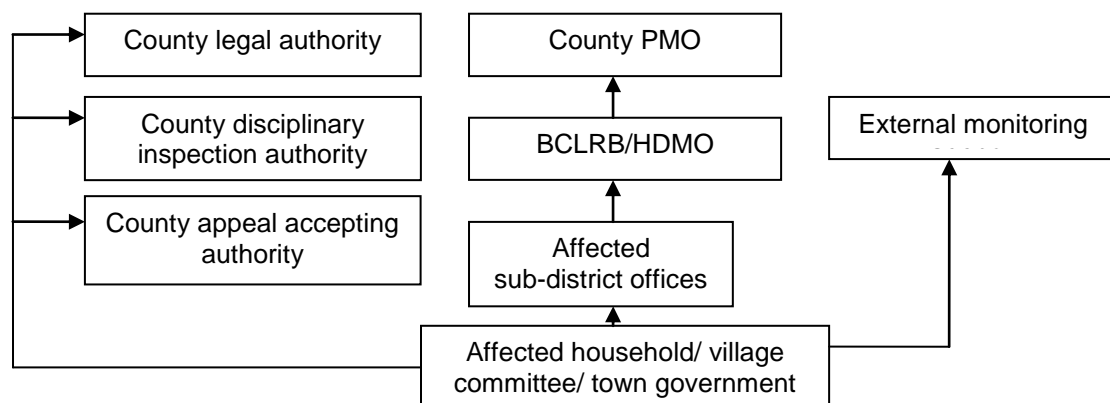


Figure 6-1 **Appeal procedures**

6.4 Appeal contact information

210. In order that the affected people can feed back their grievances timely, contacts have been appointed for different appeal accepting agencies and their contact information disclosed.

Head of Meilifeng Community Committee: Wang Zhenping	Tel: 0906-6525330
Head of Youyifeng Community Committee: Feng Hua	Tel: 0906-6526005
Head of Halagou Village Committee: Harhen	Tel: 13899427853
Head of Hatai Village Committee: Karhen	Tel: 13809968938
Head of Sartlic Village Committee: Tarihati	Tel: 15809064908
Head of BCG: Zhang Dongmei	Tel: 0906-6522029
Head of BCLRB: He Panjiang	Tel: 0906-6522035
Head of HDMO: Wen Guohua	Tel: 0906-6524001
Head of County PMO: Yu Guangpu	Tel: 0906-6523938
Head of county appeal authority: Mayila	Tel: 0906-6522150
Head of county disciplinary inspection authority: Ma Ding	Tel: 0906-6522040
Head of county legal affairs authority: Liu Guoting	Tel: 0906-6523937
External resettlement monitoring agency (TBD)	

7 Resettlement Budget

7.1 Resettlement budget

211. All costs incurred in land acquisition and resettlement will be included in the general budget of the Project. All resettlement funds are from domestic sources. Based on prices of the second half of 2009, the total resettlement costs of Project are 12.2315 million yuan, as shown in Table 7-1.

212. Acquisition of collective land (pasture land): totaling 176,720 yuan (1.44% of total costs), including grassland compensation fees and resettlement subsidy;

213. State-owned land occupation: totaling 3.1197 million yuan (25.21% of total costs), including leasing fees of and compensation of state-owned land;

214. House demolition: The total compensation for house demolition is 5.0473 million yuan (41.26% of total costs), including house compensation fees, moving subsidy, transition subsidy, etc.;

215. Temporary land occupation: Temporary land occupation costs total 1.1021 million yuan, including grassland compensation fees, grassland resettlement subsidy, forest compensation fees, woodland compensation fees, resettlement subsidy for woodland, forest vegetation restoration fees, accounting for 8.19% of total costs;.

216. Attachments and infrastructure: The total compensation for ground attachments is 54,100 yuan (0.44% of total costs);

217. Other costs: including survey and design fees, implementation management fees, skills training costs and contingencies, totaling 1.5489 million yuan (12.63% of total costs);

218. Stipulated fees for land acquisition: totaling 1.3539 million yuan (10.81% of total costs), including leasing fees of new construction land, temporary occupation and land acquisition management fees

Table 7-1 **Resettlement investment estimates**

No.	Item	Unit	Compensation rate	Qty.	Cost (10,000 yuan)	Proportion	Remarks
			(yuan/Unit)				
1	Acquisition of rural collective land	mu			17.67	1.44%	
	Grassland compensation fees	mu	480	263.86	12.67		Class 3, Grade 1
	Resettlement subsidy	mu	120	263.86	3.17		
	Grassland compensation fees	mu	690	16.65	1.15		Class 2, Grade 4
	Resettlement subsidy	mu	414	16.65	0.69		
2	State-owned land acquisition				311.97	25.21%	
	Leasing fees of state-owned land	M ²	15	8866.50	13.30		Within built-up area
		M ²	8	191546.67	153.24		Out of built-up area
Commercial land	Class 3	M ²	298	120	3.58		
Housing land	Class 3	M ²	176	7236.5	127.36	10.41%	
Industrial land	Class 3	M ²	96	1510	14.50		
3	House demolition				504.73	41.26%	
3.1	Residential house demolition				340.78	27.86%	
	<i>House compensation</i>						
	Masonry concrete	M ²	1180	78.2	9.23		
	Masonry timber	M ²	980	1275.58	125.01		
	Earth timber	M ²	880	2126.99	187.18		
	Simple structure	M ²	400	127.3	5.09		
	<i>Other subsidies</i>						

No.	Item	Unit	Compensation rate	Qty.	Cost (10,000 yuan)	Proportion	Remarks
			(yuan/Unit)				
	Moving subsidy	Household	800	24	1.92		
	Transition subsidy	Household /month	500	24	7.20		6 months
	TV displacement	Household	108	24	0.26		
	Reward	%	1.5		4.90		1.5% of house compensation fees
3.2	Commercial stores				26.68	2.18%	
	<i>House compensation</i>						
	Masonry concrete	M ²	2100	120	25.2		
	Masonry timber	M ²	1400				
	Earth timber	M ²	1000				
	<i>Other subsidies</i>						
	Moving subsidy	Household	2000	1	0.2		
	Transition subsidy	Household /month	1500	1	0.9		6 months
	Reward	%	1.5		0.38		
3.3	Enterprises and institutions				137.28	11.22%	
	<i>House compensation</i>						
	Masonry concrete	M ²	1080	10	1.08		
	Masonry timber	M ²	880	1500	132.00		
	Earth timber	M ²	780				
	Miscellaneous houses	M ²	400				
	<i>Other subsidies</i>						
	Moving subsidy	Household	3000	1	1.80		6 months

No.	Item	Unit	Compensation rate	Qty.	Cost (10,000 yuan)	Proportion	Remarks
			(yuan/Unit)				
	Transition subsidy	yuan/ household	4000	1	0.40		
	Reward	%	1.5		2.00		
4	Temporary land occupation				100.21	8.19%	
	Forest compensation fees	Mu/yuan	100	142	1.42		State-owned barren woodland
	Woodland compensation fees	Mu/yuan	3000	142	42.60		
	Resettlement subsidy	Mu/yuan	1800	142	25.56		
	Forest vegetation restoration fees	M ²	94714	3	28.40		
	Pasture land						Class 3, Grade 1
	Grassland compensation fees	Mu	120	185.69	2.23		
5	Ground attachments						
	Total of attachments				5.41	0.44%	
	Subtotal of Items 1-5				938.74		
6	Other costs				154.89	12.63%	
	Survey, design and scientific research fees	A percentage of land acquisition and resettlement compensation fees	3		28.16		
	Implementation management fees		3		28.16		
	Technical training fees		1		9.24		
	Special moving subsidy to vulnerable groups				0.15		
	Supervision and M&E fees		1.5		14.08		
	Contingencies		8		75.10		
7	Stipulated fees of land				135.39	10.81%	

No.	Item	Unit	Compensation rate	Qty.	Cost (10,000 yuan)	Proportion	Remarks
			(yuan/Unit)				
	acquisition						
	Leasing fees of new land for construction	yuan/m ²	7	191546.67	134.08		
	Temporary land occupation management fees	yuan/year/mu	20	327.69	0.66		1 year
	Land acquisition management fees	4% of land acquisition and resettlement compensation fees	4%		0.66		
Total					1223.15	100.00%	

7.2 Investment plan by year

219. All resettlement funds of the Project are from local counterpart funds. Before project construction or during project implementation, the investment plan will be implemented in stages in order not to affect the production and lives of the affected households, as shown in Table 7-2.

Table 7-2 **Resettlement investment plan**

Year	2011	2012	2013	2014	2015
Investment (10,000 yuan)	122.32	366.95	366.95	244.63	122.32
Proportion (%)	10%	30%	30%	20%	10%

7.3 Disbursement flow and plan of resettlement funds

7.3.1 Fund flow

220. During project implementation, the County PMO will pay compensation fees to the affected entities and individuals according to the compensation policies and compensation rates specified in the RP.

221. The fund flow is as shown below:

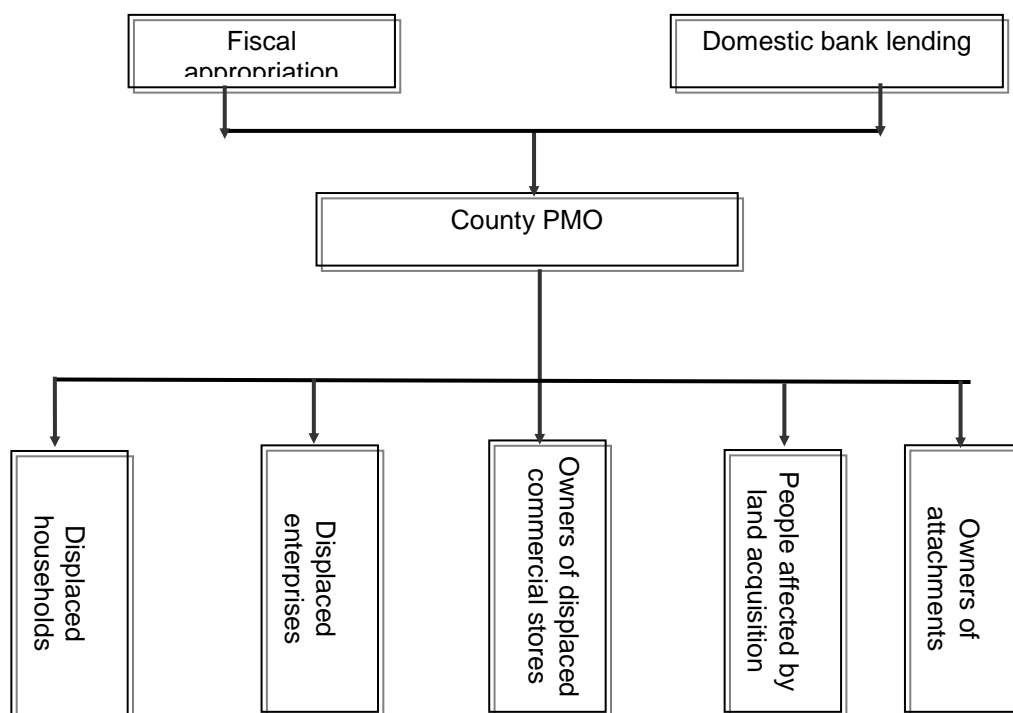


Figure 7-1 **Flowchart of resettlement funds**

7.3.2 Disbursement plan

222. Land acquisition compensation fees, pre-acquisition management fees and compensation fees for temporary land occupation will be collected by BCLRB; grassland compensation fees,

resettlement subsidy and temporary use compensation fees will be collected by the County GMSS in a unified manner, which will return grassland compensation fees and resettlement subsidy to the grassland user; forest compensation fees, woodland compensation fees and resettlement subsidy and forest vegetation restoration fees will be collected by the County Forestry Bureau; forest compensation fees, woodland compensation fees and resettlement subsidy will be paid to the County Forestry Bureau and individuals for forestation; forest vegetation restoration fees will be paid to the State Forestry Administration; house demolition compensation fees, and compensation fees for infrastructure and attachments will be paid to the affected entities and individuals.

223. To ensure that resettlement funds are available timely and in full for the production, livelihood and income restoration of the affected households, the County PMO will take the following measures:

- All costs related to house demolition and resettlement will be included in the general budget of the Project;

- Land compensation fees and resettlement subsidy will be paid up before land acquisition so that all affected people are resettled properly; and

- To ensure the successful implementation of land acquisition and resettlement, financial and supervisory agencies will be established at all levels to ensure that all funds are disbursed on timely and in full.

224. The budget is a cost estimate of resettlement. Depending on practical changes within the affected areas, and due to the practical impacts of detailed measurement survey (DMS), modifications to compensation and inflation, etc., resettlement costs may be increased, but the County PMO will ensure the payment of compensation fees. The budget incorporates contingencies, and will be applied and revised as necessary.

8 Organization and Responsibilities

8.1 Resettlement action agencies

225. During project implementation, the agencies that plan, manage, implement and monitor resettlement activities of the Project include:

- Burqin County Leading Group for the Promotion of the ADB-financed Road Reconstruction and Expansion Project (County Leading Group for short)
- Burqin County ADB-financed Project Management Office (executing agency, County PMO for short)
 - BCCB (implementing agency)
 - BCLRB
 - HDMO
 - Burqin County Forestry Bureau
 - Burqin County GMSS
 - Design institute

226. County Leading Group: leading, organizing and coordinating land acquisition, house demolition and resettlement activities, approving the RP and implementing internal supervision and inspection.

227. County PMO: directing the formulation of resettlement policies, the preparation of the RP, and the implementation of land acquisition and house demolition

228. BCCB: being the implementing agency, responsible for socioeconomic and physical indicator surveys, assisting in preparing the RP, contacting BCLRB, the township governments and affected village committees in carrying out practical resettlement work

229. BCLRB: going through, examining and approving land acquisition formalities, and carrying out coordination, management, supervision and arbitration of land acquisition

230. HDMO: going through, examining and approving house demolition formalities, issuing permits, and carrying out coordination, management, supervision and arbitration of house demolition and resettlement

231. Burqin County Forestry Bureau: going through, examining and approving woodland acquisition formalities, and carrying out coordination, management, supervision and arbitration

232. Burqin County GMSS: going through, examining and approving grassland acquisition formalities, and carrying out coordination, management, supervision and arbitration, and this agency is responsible for determining this based on the quality of the land.

233. Sub-district offices: assisting in the County PMO's survey, entering into a land acquisition and house demolition agreement with BCLRB, and assisting BCLRB in implementing land acquisition, house demolition and resettlement

234. Affected village/community committees: providing land contracting information, assisting in the surveys, reallocate housing sites and contracted land after land acquisition and house demolition, providing information on affected vulnerable groups, carrying out community mobilization and publicity, assisting technicians in measurement, valuation, and signing and negotiating the resettlement agreement

235. Design institute: preparing the project design and defining the range of land acquisition and house demolition

8.2 Organizational chart

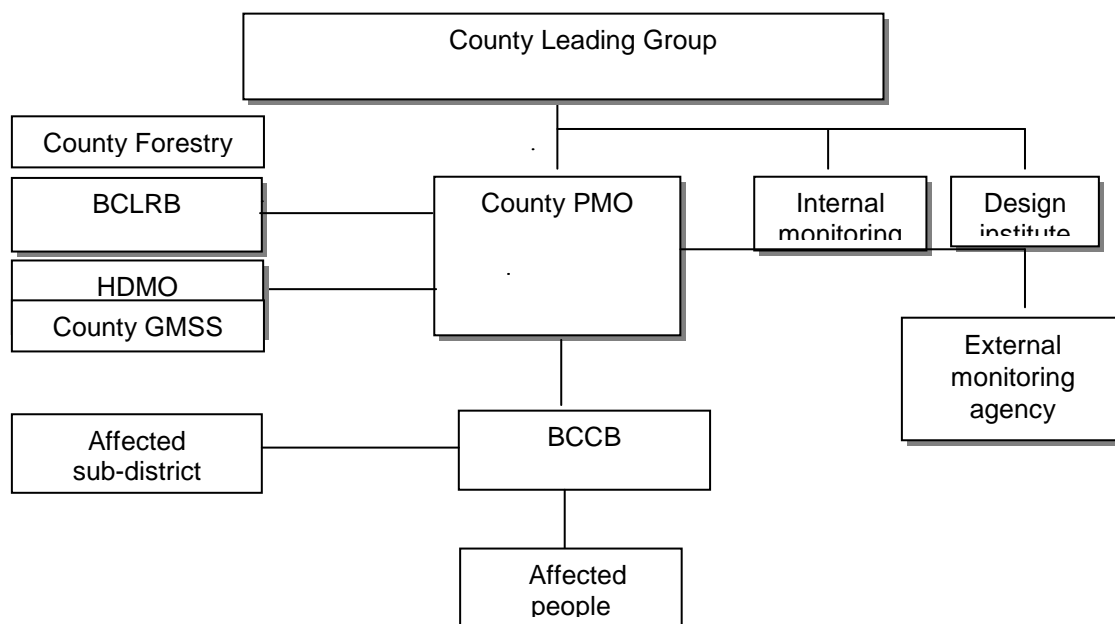


Figure 8-1 Resettlement organizational chart

8.3 Organizational qualifications and staffing

236. The staff of the Leading Group is comes from different functional departments of BCG, and is experienced in municipal construction works, and land acquisition, house demolition and resettlement. Since the members are from different levels and functions of government, it will play a good organizing and coordinating role in land acquisition, house demolition and resettlement. Other agencies involved in resettlement implementation are composed of staff experienced in urban construction project management.

237. The following members responsible for specific land acquisition and house demolition tasks work under the direction of the Leading Group and its office.

Leader: Deng Shihong, member of the standing county CPC committee, executive deputy county head

Deputy leader: Zhang Zhijun, county head

Members:

Yu Guangpu	Director-general, BCCB
Li Xiaochun	Director, County Development and Reform Commission
Wu Benyou	Director, Economic and Trade Commission
Sun Chunping	Director-general, County Finance Bureau
Wan Yan'an	Director-general, County Audit Bureau
Shi Jiangyi	Director-general, County Supervision Bureau
Wang Xiaobing	Director-general, BCLRB
Wang Hongchen	Director-general, County Agriculture Bureau
Li Xianglin	Director-general, County Forestry Bureau
Baheti	Director-general, County Livestock Veterinary Bureau
Han Wei	Director-general, County Water Resources Bureau
Wei Wei	Director-general, County Environmental Protection Bureau
Yerkan	Director-general, County Civil Affairs Bureau

Mayila	Director-general, County Appeal Bureau
Yang Zhiqiang	Director-general, County Communications Bureau
Nurbolati	Director-general, County Ethnic and Religious Affairs Bureau
Jiarhen	Head, Woyimoke Xiang
Maheshati	Head, Hu'er Xiang
Hanati	Head, Dulaiti Xiang
Yerlan	Head, Kuostek Xiang
Hailati	Head, Yegzetbe Xiang
Xu Guanghua	CPC Committee Secretary and Head, Burqin Town

238. The office of the Leading Group is at BCCB, responsible for handling day-to-day affairs, headed concurrently by Yu Guangpu, and composed of staff transferred from agencies concerned.

8.4 Division of labor

8.4.1 County Leading Group

239. Responsible for project leadership, organizing, coordination and decision-making, examining the RP, implementing internal supervision and inspection, and making decisions on major issues arising from resettlement

8.4.2 County PMO

- Appointing a design agency to define the affected areas
- Organizing socioeconomic survey
- Organizing and coordinating the reparation of the RP
- Executing the policies in the RP
- Coordinating the implementation of the RP according to the project construction schedule
- Disbursing funds and supervising the use thereof
- Directing, coordinating and supervising resettlement activities and progress
- Organizing and implementing internal monitoring, appointing an independent monitoring agency, and assisting in external monitoring activities
- Reviewing monitoring reports
- Coordinating and handling conflicts and issues arising from implementation
- Coordinating and handling appeals arising from implementation
- Reporting the progress of land acquisition and house demolition, fund use and implementation quality to ADB periodically

8.4.3 BCCB

- Organizing socioeconomic survey
- Registering physical indicators of land acquisition and house demolition, and conducting surveys
- Organizing public participation activities
- Negotiating resettlement options, and organizing the preparation of the RP
- Applying for a land use planning permit and a permit to use land with BCLRB
- Implementing the relevant measures of house demolition
- Implementing the state policies and regulations on the administration of land for project construction

- Developing resettlement options and compensation rates for land acquisition according to the established policies, and submitting to the competent authorities for approval
- Going through the land use approval formalities
- Applying for a land use planning permit and a permit to use land
- Implementing the RP
- Signing a compensation and resettlement agreement for land acquisition with the affected rural collective economic organizations together with the township governments
- Signing a compensation agreement for temporary land occupation with the affected entities
- Signing a compensation and resettlement agreement for land acquisition and house demolition with the displaced households and entities together with HDMO
- Inspecting resettlement implementation
- Managing information on land acquisition, house demolition and resettlement activities
- Training the staff
- Coordinating and handling conflicts and issues arising from implementation
- Coordinating and handling appeals arising from implementation
- Reporting land acquisition, house demolition and resettlement progress to the County PMO

8.4.4 Affected sub-district offices

240. These offices are led by leaders in charge and composed of officials of CPC and government offices, land administration offices and villages, with the following responsibilities:

- Participating in the surveys and assisting in preparing the RP;
- Organizing public participation, and publicizing the resettlement policies;
- Implementing, inspecting, monitoring and recording all resettlement activities;
- Going through house demolition formalities;
- Paying and managing land compensation fees;
- Supervising land acquisition, house and attachment demolition, house rebuilding and relocation;
- Reporting land acquisition, house demolition and resettlement progress to BCLRB and HDMO;
- Coordinating and handling issues arising in their work

8.4.5 Village/community committees

241. Composed of village/community officials, with the following responsibilities:

- Participating in the socioeconomic and project impact surveys;
- Organizing public consultation, publicizing the land acquisition and house demolition policies;
- Paying and managing relevant funds;
- Reporting displaced persons' opinions and suggestions to the competent authorities;
- Reporting the progress of resettlement implementation;
- Providing assistance to difficult households affected by land acquisition;
- Performing other land acquisition and house demolition tasks assigned by superior agencies

8.4.6 Design institute

- Reducing project impacts by design optimization;
- Defining the range of land acquisition and house demolition

8.5 Measures to strengthen institutional capacity

242. In order to implement resettlement successfully, the displaced persons and resettlement staff must be trained under a program developed by the County PMO.

8.5.1 Training program for resettlement management staff

243. A staff training and human resources development system will be developed for the county, township and village resettlement agencies. The resettlement project and process management training under this system will be given in such forms as workshop, training course, visit of similar projects and field training, and will cover:

- Principles and policies of resettlement
- Resettlement project planning management training
- Resettlement implementation planning and design
- Resettlement implementation progress control
- Resettlement financial management
- Resettlement quality control
- Management information system
- Resettlement M&E
- Resettlement project management

8.5.2 Measures to improve the resettlement organization

244. (1) Define the responsibilities and scope of duty all resettlement agencies, and strengthen supervision and management;

245. (2) Improve the strength of all resettlement agencies gradually, especially technical strength; all staff must attain a certain level of professional proficiency and management level; improve their technical equipment, such as PC, monitoring equipment and means of transportation, etc.;

246. (3) Select staff strictly, and strengthen operations and skills training for management and technical staff of all resettlement agencies to improve their professional proficiency and management level;

247. (4) Appoint women officials appropriately, and give play to women's role in resettlement implementation;

248. (5) Establish a database and strengthen information feedback to ensure a smooth information flow, and leave major issues to the Leading Group;

249. (6) Strengthen the reporting system and internal monitoring, and solve issues timely; and

250. (7) Establish an external M&E mechanism and an early warning system.

9 Resettlement Implementation Plan

251. According to the project implementation schedule, the Project will be constructed from 2011 to 2015, and have a preparation period of 2 years, in which the preparatory work will be completed; the implementation period will be 5 years (2011-2015). The land acquisition, house demolition and resettlement schedule links up the construction schedules of the components, and will span from January 2011 to June 2013. The resettlement schedule is developed based on the following principles:

- The land acquisition work will be completed at least one month prior to project construction so that the affected villages have sufficient time to prepare production resettlement and income restoration programs;
- During resettlement, the affected people shall have an opportunity to participate in the Project. Before project construction commences, the range of land acquisition will be disclosed, the RIB distributed and public participation activities conducted properly;
- All compensation fees will be paid to the affected proprietors directly and in full within 3 months of approval of the compensation and resettlement option for land acquisition. No agency or individual should use such compensation fees on their behalf, nor should such compensation fees be discounted for any reason.

9.1 Pre-implementation work

- Defining the range of land acquisition and house demolition
252. The range of land acquisition will be defined according to the project design and layout. The resettlement work will be announced to the affected sub-district offices at a meeting, which will disclose the land acquisition notice in the affected villages. The County PMO will survey and register land, houses and attachments, and their ownership within the define range.
- Investigating the range of land acquisition and house demolition
253. The County PMO will organize relevant staff of the sub-district offices, HDMO, BCLRB and GMSS to visit the affected areas, investigate and register land, houses, attachments, facilities and equipment, etc., judge the nature and ownership of infrastructure, and keep detailed records.
- Drafting the RP and preparing the budget
254. Before the beginning of land acquisition, house demolition and civil works, the RP will be updated based on the detailed design and detailed measurement survey (DMS), and submitted to ADB for approval. According to the survey findings, the County PMO will prepare the RP and budget according to the applicable policies and regulations, and then submit them to BCCB for approval.
- Contract signing
255. Under the coordination and direction of the County PMO, BCCB will enter into land acquisition and house demolition agreements with BCLRB and HDMO, and pay the contract price.
256. The compensation agreement for land acquisition will be signed based on the compensation rates specified in the RP, and in accordance with the state, provincial and municipal laws and regulations on resettlement. BCLRB, GMSS and HDMO will negotiate with the affected village committees, residents, enterprises and stores about compensation and resettlement respectively. The sub-district offices and village committees then negotiate with the affected households. After consensus, BCLRB and HDMO will sign the compensation agreement for land acquisition immediately. A copy of such agreement should be submitted. BCLRB will supervise and witness the whole process.

9.2 Implementation work

- Disbursement of compensation
257. After signing the contract, the APs will get all the compensation in a timely manner.
- Permit to use land

258. The executing agency should endeavor to obtain a permit to use land timely by applying for it with the land and resources authorities level by level. The permit to use land must be obtained before the payment of compensation fees and the acquisition of land, houses and private properties.

➤ Facility relocation and rebuilding

259. The facilities affected by the Project will be relocated under the supervision of the executing agency. BCCB will pay compensation fees to proprietors, who will arrange the relocation, restoration and rebuilding of such facilities.

➤ Resettlement

260. The affected villagers may elect to receive cash compensation, property swap or buy commercial. In the latter two options, their housing conditions will improve greatly.

➤ Internal and external M&E

261. Internal supervision is a responsibility of the implementing agency, which will submit a monitoring report to the executing agency semiannually. External monitoring is a responsibility of the executing agency, which will commission this task to an independent consulting agency and submit a monitoring report to ADB annually. The purpose of external monitoring is that the income and standard of living of the affected people should be maintained after land acquisition and house demolition. Compulsory measures should be taken if this purpose is not fulfilled.

9.3 Post-implementation work

➤ Continuing with internal and external M&E

➤ Filing and documentation

262. After the resettlement work is completed, the person responsible will write a supplementary resettlement report, which will be reviewed and filed by BCCB.

263. The general resettlement schedule of the Project has been drafted based on the progress of project construction, land acquisition and house demolition, resettlement preparation and implementation. The exact implementation times may be adjusted due to deviations in overall project progress. See Table 9-1.

Table 9-1 **Resettlement implementation schedule**

Progress	Deadline
A. Disclosure	
RIB	Sep. 2010
Distributing the RP to HDMO/ sub-district office/ village/ affected people	Oct. 2010
Disclosing the RP on the ADB website	Aug. 2010
B. Land acquisition	
1. Disclosing resettlement information	Oct. 2010
2. Defining objectives based on project impacts	Dec. 2010
3. Preparing for and carrying out detailed measurement survey	Jul. 2011
4. Disclosing the compensation rates	Jul. 2011
5. Disclosing measurement results and notifying affected residents	Jul. 2011
6. Fixing compensation amount through consultation	Jul. 2011
7. Paying land compensation fees	Mar.2011-Oct. 2012
8. Going through land acquisition and registration formalities	Mar.-Sep. 2011
9. Training	Apr. 2011-Jun. 2013
C. House demolition	
1. Disclosing resettlement information	Dec. 2010
2. Defining objectives based on project impacts	Dec. 2010

3. Preparing for and carrying out detailed measurement survey	Jul. 2011
4. Disclosing the compensation rates	Jul. 2011
5. Disclosing measurement results and notifying affected residents	Jul. 2011
6. Signing a resettlement agreement after consultation with affected townships, villages and households	Oct. 2011
7. Selecting resettlement housing	Oct. 2012
8. Obtaining resettlement housing	Nov. 2012
9. Paying compensation fees	Mar.2011-Sep. 2012
10. Moving into new housing	Jan. 2012
D. Restoration of special facilities	
1. Detailed measurement	Jul. 2011
2. Consultation with owners	Jul. 2011
3. Payment of compensation fees	Oct. 2012
E. M&E	
Baseline survey	Jul. 2011
Establishment of internal monitoring	Jan. 2011
Appointment of external monitoring agency	May. 2011
Internal monitoring reporting	2011-2015
External monitoring reporting	2011-2015

10 Monitoring and Evaluation

264. To ensure the successful implementation of the RP and realize the objectives of resettlement properly, land acquisition, house demolition and resettlement activities of the Project will be subject to periodic M&E according to ADB's resettlement policies, including internal and external monitoring.

10.1 Internal monitoring

10.1.1 Purpose

265. The purpose of internal monitoring is to enable all resettlement agencies to function properly during project implementation, conduct internal supervision and inspection on the whole process of resettlement preparation and implementation, learn resettlement progress, and ensure that the land acquisition, house demolition and resettlement work can be completed on schedule according to the RP, and promote successful project construction.

10.1.2 Organization and staff

266. The internal resettlement monitoring agencies of the Project are the XUAR PMO, County PMO and other relevant authorities (e.g., BCLRB). These agencies will have a leader who is responsible specifically for the resettlement work. Such leaders should have rich resettlement experience and authority, and be able to coordinate all departments involved in the resettlement work. The members of such agencies should have knowledge on resettlement and social issues so as to perform their duties.

10.1.3 Scope of internal monitoring

267. The XUAR PMO and County PMO will develop a detailed internal monitoring plan for land acquisition and resettlement, including:

268. (1) Relocation of displaced persons, allocation of housing sites and housing rebuilding, etc.;

269. (2) Payment, use and availability of compensation fees for land acquisition, and implementation progress and quality of production and development options of displaced persons;

270. (3) Investigation, coordination of and suggestion on key issues of the resettlement and implementing agencies during land acquisition, house demolition and resettlement;

271. (4) Restoration of the household income of displaced persons;

272. (5) Restoration of vulnerable groups;

273. (6) Payment, use and availability of compensation fees for resettlement;

274. (7) Level of public participation and consultation during land acquisition, house demolition and resettlement;

275. (8) Resettlement training and its effectiveness; and

276. (9) Working mechanism, training, working hours and efficiency of local resettlement offices

10.1.4 Reporting of internal monitoring

277. The XUAR PMO will submit an internal monitoring report to ADB semiannually. Such report should indicate the statistics of the past 6 months in tables, and reflect the progress of land acquisition, resettlement and use of compensation fees through comparison. Tables 10-1 and 10-2 provide some formats.

Table 10-1 **Progress report of resettlement for land acquisition and house demolition**

_____, _____ Township, _____ District (County)

Cut-off date: MM/DD/YY

Date of completion: MM/DD/YY

Item	Unit	Planned	Actually completed	Accumulated	Proportion of completion
Permanent land acquisition	mu				
Temporary land occupation	mu				
Payment of land compensation fees	10,000 yuan				
Training	Person				
Employment arrangement	Person				
Land reallocation	mu				

Reported by: _____ Signature (person responsible): _____ Official seal:

Table 10-2 **Fund use progress**

_____, _____ Township, _____ District (County)

Cut-off date: MM/DD/YY

Date of completion: MM/DD/YY

Affected entity	Description ¹	Unit/ qty.	Required investment (yuan)	Compensation received (yuan)	Adjusted compensation	Proportion of compensation
Village 1						
Village 2						
Collective						
Displaced household						
Entity						

Reported by: _____ Signature (person responsible): _____ Official seal:

10.2 External monitoring

278. According to ADB's policies, the XUAR PMO will employ a qualified, independent and experienced resettlement agency as the independent resettlement monitoring agency.

279. The external monitoring agency will conduct follow-up M&E of resettlement activities periodically, monitor resettlement progress, quality and funding, and give advice. It shall also conduct follow-up monitoring of the displaced persons' production level and standard of living, and submit M&E reports to the XUAR PMO and ADB.

¹ Fill in labor training, employment, vulnerable group subsidy, etc. in "Description".

10.2.1 Scope and methodology of external monitoring

280. (1) Baseline survey. The external monitoring agency will conduct a baseline survey of the affected villages and villager teams affected by land acquisition to obtain baseline data on the monitored displaced households' production level and standard of living. The production level and standard of living survey will be conducted semiannually to track variations of the displaced persons' production level and standard of living. This survey will be conducted using such methods as panel survey (sample size: 20% of the households affected by land acquisition and house demolition, 50% of the affected villages and 100% of affected commercial stores, which will be sampled randomly), random interview and field observation to acquire necessary information. A statistical analysis and an evaluation will be made on this basis.

281. (2) Periodic M&E. During the implementation of the RP, the external monitoring agency will conduct periodic follow-up resettlement monitoring semiannually of the following activities by means of field observation, panel survey and random interview:

- Payment and amount of compensation funds;
- Preparation and adequacy of the resettlement site;
- House rebuilding;
- Relocation of the affected people;
- Training;
- Support for vulnerable groups;
- Restoration and rebuilding of infrastructure and special facilities;
- Production resettlement and restoration;
- Compensation for lost properties;
- Compensation for lost working hours;
- Transition subsidy;
- Timetables of the above activities (applicable at any time);
- Resettlement organization;
- Use of compensation fees for collective land and income of displaced persons; and
- Income growth of labor through employment

282. (3) Public consultation. The external monitoring agency will attend public consultation meetings held during resettlement implementation to evaluate the effectiveness of public participation.

283. (4) Grievance redress. The external monitoring agency will visit the affected villages periodically and inquire the County PMO, township governments, village committees and resettlement agencies that accept grievances about how grievances have been handled. It will also meet complainants and propose corrective measures and advice for existing issues so as to make the resettlement process more effectively.

10.2.2 Reporting of external monitoring

284. The external monitoring agency will submit a monitoring or evaluation report to ADB and the XUAR PMO semiannually.

Table 10-3 Resettlement M&E Timetable

	Resettlement report	Date
1	Socioeconomic Baseline Survey	Mar. 2011
2	Monitoring Report No.1	Apr. 2011
3	Monitoring Report No.2	Oct. 2011
4	Monitoring Report No.3	Apr. 2012
5	Evaluation Report No.4	Oct. 2012
6	Evaluation Report No.5	Oct. 2013
7	Final Report	Sep. 2014

10.3 Resettlement post-evaluation

285. After project implementation, the theory and methodology of post-evaluation will be applied to evaluate the Project's resettlement activities on the basis of M&E to obtain successful experience and lessons in land acquisition and house demotion as a reference for future work. The post-evaluation agency will prepare terms of reference for post-evaluation, establish a system of evaluation indicators, conduct socioeconomic analysis and survey, and prepare the Resettlement Post-evaluation Report of the Project for submission to the XUAR PMO and ADB.

Appendix 1 Applicable Laws and Policies

Applicable provisions of the Land Administration Law of the PRC

Ownership and right of use of land

Article 8 Land in urban districts shall be owned by the State.

Land in the rural areas and suburban areas, except otherwise provided for by the State, shall be collectively owned by peasants including land for building houses, land and hills allowed to be retained by peasants.

Article 22 The amount of land used for urban construction shall conform to the standards prescribed by the State so as to make full use of the existing land for construction purposes, not to occupy or occupy as less agricultural land as possible.

Urban general planning and the planning of villages and market towns should be in line with the general plans for land use. The amount of land for construction use in the urban general planning and the planning of villages and market towns shall not exceed the amount of land used for construction purposes in cities, villages and market towns fixed in the general plans for the utilization of land.

The land for construction purposes in cities, villages and market towns within the planned areas of cities, villages and market towns shall conform to the city planning and the planning of villages and market towns.

Article 24 People's governments at all levels shall strengthen the administration of plans for land use and exercise control of the aggregate land for construction purposes.

Article 26 Revision of the general plans for land use shall be approved by the original organ of approval. Without approval, the usages of land defined in the general plans for the utilization of land shall not be changed.

Whereas the purpose of land use defined in the general plans for the utilization of land needs to be changed due to the construction of large energy, communications, water conservancy and other infrastructure projects approved by the State Council, it shall be changed according to the document of approval issued by the State Council.

If the purpose of land defined in the general plans for the utilization of land needs to be changed due to the construction of large energy, communications, water conservancy and other infrastructure projects approved by provinces, autonomous regions and municipalities, it shall be changed according to the document of approval issued by the provincial level people's governments if it falls into their terms of reference.

Protection of cultivated land

Article 31 The State protects the cultivated land and strictly controls the conversion of cultivated land into non-cultivated land.

The State fosters the system of compensations to cultivated land to be occupied. In the cases of occupying cultivated land for non-agricultural construction, the units occupying the cultivated land should be responsible for reclaiming the same amount of land in the same quality as that occupied according to the principle of "reclaiming the same amount of land occupied. Whereas units which occupy the cultivated land are not available with conditions of reclamation of land or the land reclaimed is not up to requirements, the units concerned should pay land reclamation fees prescribed by provinces, autonomous regions and municipalities for reclaiming land for cultivation the land reclaimed.

Article 32 The local people's governments at and above the county level may demand units which occupy cultivated land to use the topsoil of the land occupied for use in the newly reclaimed land, poor land or other cultivated land for soil amelioration.

Article 33 People's governments of all provinces, autonomous regions and municipalities shall strictly implement the general plans for the utilization of land and annual plan for the use of land, adopt measures to ensure not to reduce the total amount of cultivated land within their jurisdictions. Whereas reductions occur, the State Council shall order it to organize land reclamation within the prescribed time limit to make up for the reduced land in the same

quantity and quality and the land administrative department of the State Council shall, together with agricultural administrative department, examine and accept it.

Article 36 Land shall be used sparingly for non-agricultural construction purposes. Whereas wasteland can be used, no cultivated land should be occupied; whereas poor land can be used, no good land should be occupied.

Article 41 The State encourages land consolidation. People's governments of counties and townships (towns) shall organize rural collective economic organizations to carry out comprehensive consolidation of fields, water surface, roads, woods and villages according to the general plans for the utilization of land to raise the quality of cultivated land and increase areas for effective cultivation and improve the agricultural production conditions and ecological environment.

Local people's governments at all levels shall adopt measures to ameliorate medium-and low-yielding land and consolidate idle and scattered and abandoned land.

Article 42 Whereas land is damaged due to digging, cave-in and occupation, the units or individuals occupying the land should be responsible for reclamation according to the applicable provisions of the State; for lack of ability of reclamation or for failure to meet the required reclamation, land reclamation fees shall be paid, for use in land reclamation. Land reclaimed shall be first used for agricultural purposes.

Land for construction purposes

Article 43 Any unit or individual that need land for construction purposes should apply for the use of land owned by the State according to law, except land owned by peasant collectives used by collective economic organizations for building township enterprises or building houses for villagers or land owned by peasant collectives approved according to law for use in building public facilities or public welfare facilities of townships (towns).

The term "apply for the use of land owned by the State according to law " used in the preceding paragraph refers to land owned by the State and also land originally owned by peasant collectives but having been acquired by the State.

Article 44 Whereas occupation of land for construction purposes involves the conversion of agricultural land into land for construction purposes, the examination and approval procedures in this regard shall be required.

For projects of roads, pipelines and large infrastructure approved by the people's governments of provinces, autonomous regions and municipalities, land for construction has to be approved by the State Council whereas conversion of agricultural land is involved.

Whereas agricultural land is converted into construction purposes as part of the efforts to implement the general plans for the utilization of land within the amount of land used for construction purposes as defined in the general plans for cities, villages and market towns, it shall be approved batch by batch according to the annual plan for the use of land by the organs that approved the original general plans for the utilization of land. The specific projects within the scope of land approved for conversion shall be approved by the people's governments of cities or counties.

Land to be occupied for construction purposes other than those provided for in the second and third paragraphs of this article shall be approved by the people's governments of provinces, autonomous region and municipalities whereas conversion of agricultural land into construction land is involved.

Article 45 The acquisition of the following land shall be approved by the State Council:

1. Basic farmland;
2. Land exceeding 35 hectares outside the basic farmland;

Acquisition of land other than prescribed in the preceding paragraph shall be approved by the people's governments of provinces, autonomous regions and municipalities and submitted to the State Council for the record.

Acquisition of agricultural land should first of all go through the examination and approval procedure for converting agricultural land into land for construction purposes according to the provisions of Article 44 of this law. Whereas conversion of land is approved by the State

Council, the land acquisition examination and approval procedures should be completed concurrently with the procedures for converting agricultural land to construction uses and no separate procedures are required. Whereas the conversion of land is approved by people's governments of provinces, autonomous regions and municipalities within their terms of reference, land acquisition examination and approval procedures should be completed at the same time and no separate procedures are required. Whereas the terms of reference have been exceeded, separate land acquisition examination and approval procedures should be completed according to the provisions of the first paragraph of this article.

Article 46 For acquisition of land by the State the local people's governments at and above the county level shall make an announcement and organize the implementation after the approval according to the legal procedures.

Owners or users of the land acquired should, within the time limit specified in the announcement, go through the compensation registration for acquired land with the land administrative departments of the local people's governments on the strength of the land certificate.

Article 47 In acquiring land, compensation should be made according to the original purposes of the land acquired.

Compensation fees for land acquired include land compensation fees, resettlement fees and compensation for attachments to or green crops on the land. The land compensation fees shall be 6-10 times the average output value of the three years preceding the acquisition of the cultivated land. The resettlement fee shall be calculated according to the number of agricultural population to be resettled. The number of agricultural population to be resettled shall be calculated by dividing the amount of cultivated land acquired by the per capital land occupied of the unit whose land is acquired. The resettlement fees for each agricultural person to be resettled shall be 4-6 times the average annual output value of the three years preceding the acquisition of the cultivated land. But the maximum resettlement fee per hectare of land acquired shall not exceed 15 times of the average annual output value of the three years prior to the acquisition.

The standards for land compensation and resettlement fees for land acquired shall be determined by various provinces, autonomous regions and municipalities in reference to the land compensation fees and resettlement fees for cultivated land acquired.

The standards for compensating for ground attachments and green crops on the land acquired shall be determined by various provinces, autonomous regions and municipalities.

In acquiring vegetable fields in suburban areas, the units using the land should pay new vegetable field development and construction fund.

Whereas the land compensation fees and resettlement fees paid according to the provisions of the second paragraph of this article are not enough to maintain the original level of living, the resettlement fees may be increased with the approval of the people's governments of provinces, autonomous regions and municipalities. But the combined total of land compensation fees and resettlement fees shall not exceed 30 times the average output value of the three years prior to the acquisition.

In special circumstances, the State Council may raise the standards for land compensation and resettlement fees for land acquired according to the social and economic development level.

Article 48 After the plan for land compensation and resettlement fees is finalized, related local people's governments shall make an announcement and hear the opinions of the rural collective economic organizations and peasants whose land has been acquired.

Article 49 Rural collective economic organizations shall make public to its members the receipts and expenditures of the land compensation fees for land acquired and accept their supervision.

It is forbidden to embezzle or divert the land compensation fees and other related expenses.

Article 50 Local people's governments at all levels shall support rural collective economic organizations and peasants in their efforts toward development and operations or in starting up enterprises.

Article 52 In the process of the feasibility study for construction projects, land administrative departments may examine the related matters concerning the land for construction purposes and put forward their proposals according to the general plans for the utilization of land, the annual plan for the use of land and standards for land used for construction purposes.

Article 53 Whereas a construction project approved needs land owned by the State for construction purposes, the construction unit should file an application with land administrative department of the people's government at and above the county level with the power of approval on the strength of related documents required by law and administrative decrees. The land administrative department shall examine the application and submit it to the people's government at the same level for approval.

Article 54 A paid leasing should be go through in use of land owned by the State by a construction unit. But the following land may be obtained through government allocation with the approval of the people's governments at and above the county level according to law:

1. Land for use by government organs and for military use;
2. Land for building urban infrastructure and for public welfare undertakings;
3. Land for building energy, communications and water conservancy and other infrastructure projects supported by the State;
4. Other land as provided for by the law and administrative decrees.

Article 55 Construction units that have obtained State-owned land by paid leasing can use the land only after paying the land use right leasing fees and other fees and expenses according to the standards and ways prescribed by the State Council.

Starting from the date when this law comes into effect, 30% of the leasing fees for new construction land shall be handed over to the central finance, with the rest 70% to be retained by related local people's governments, for the development of land for cultivation.

Article 56 In using State-owned land, construction units should use the land according to the provisions of the contract for compensated use of leased land use right or according to the provisions of the documents of approval concerning the allocation of land use right. The change of the land to construction purposes should get the consent from the land administrative departments of the related people's governments and be submitted to the people's governments that originally give the approval for the use of land. In changing the purpose of land within the urban planned areas, the consent should be obtained form the related urban planning administrative departments before submission for approval.

Article 57 In the case of temporary using State-owned land or land owned by peasant collectives by construction projects or geological survey teams, approval should be obtained from the land administrative departments of local people's governments at and above the county level. Whereas the land to be temporarily used is within the urban planned areas, the consent of the urban planning departments should be obtained before being submitted for approval. Land users should sign contracts for temporary use of land with related land administrative departments or rural collective organizations or villagers committees depending on the ownership of the land and pay land compensation fees for the temporary use of the land according to the standard specified in the contracts.

Users who use the land temporarily should use the land according to the purposes agreed upon in the contract for the temporary use of land and should not build permanent structures.

The term for the temporary use of land shall not usually exceed two years.

Article 58 In one of the following cases, the land administrative departments of related people's governments shall recover the land use right of State-owned land with the approval of the people's governments that originally gives the approval or the people's governments with the power of approval:

1. Use land for the sake of public interests;
2. Use land for adjustment in re-building old city districts in order to implement urban construction plans;

3. When the term for the land use right expires according to what is agreed upon in the contract for compensated use of land, the land user has failed to apply for extension or failed to get approval for extension;

4. The use of land originally allocated has been stopped due to cancellation or removal of units;

5. Roads, railways, airports and mining sites that have been approved to be abandoned.

Proper compensation should be given to land use right users whereas the use right of State-owned land is recovered according to the provisions of 1 and 2 of the preceding paragraph.

Article 62 One rural household can own one piece of land for building house, with the area not exceeding the standards provided for by provinces, autonomous regions and municipalities.

Construction of rural houses should conform to the general plans for the utilization of land of townships (towns) and the original land occupied by houses and open spaces of villages should be used as much as possible for building houses.

The use of land for building houses should be examined by the township (town) people's governments and approved by the county people's governments. Whereas occupation of agricultural land is involved the examination and approval procedure provided for in Article 44 of this law is required.

The application for housing land after selling or leasing houses shall not be approved.

Article 63 The land use right of peasant collectives shall not be leased, transferred or rented for non-agricultural construction, except in the case of legal transfer of the land that conforms to the general plan for the utilization of land and legally obtained by enterprises due to bankruptcy or acquisition.

Article 64 Buildings or structures put up before the general plan for the utilization of land and uncomformable to the general plans are not allowed to be rebuilt or expanded.

Article 65 In one of the following cases, the rural collective economic organizations may recover the land use right with the approval of the people's government that gives the approval for the use of land:

1. Land needed for building public facilities and public welfare undertakings of townships (towns) and villages;

2. Land not used according to the purposes approved;

3. Land not used any more due to cancellation or removal of the original units.

Proper compensation shall be given to land users in the case of recovering the land owned by peasant collectives provided for in item 1 of the preceding paragraph.

Applicable provisions of the Regulation on the Dismantlement of Urban Houses

Article 6 Only if the agency about to demolish houses has obtained a permit for house demolition can demolition be implemented.

Article 8 When issuing the permit for house demolition, the administrative department for house demolition shall disclose the demolisher, scope and period of demolition specified in the permit for house demolition in the form of a house demolition announcement. The administrative department for house demolition and the demolisher shall make proper and timely publicity and explanation to displaced persons.

Article 22 The demolisher shall compensate displaced persons hereunder.

Article 23 Displaced persons may be compensated in cash or by property swap.

Article 24 The amount of cash compensation shall be determined based on the demolished house's geographic location, purpose and building area, and the appraised price on the real estate market. Specific measures shall be formulated by the people's governments of provinces, autonomous regions and municipalities directly under the Central Government.

Article 25 In case of property swap, the demolisher and the displaced person shall calculate the amount of compensation of the demolished house and the price of the replacement house pursuant to Article 24 above, and settle the price difference of property swap.

In case of demolition of an attachment to a non-public-welfare institution's premises, no property swap shall be made and the demolisher shall offer cash compensation.

Article 26 In case of demolition of a public welfare institution's premises, the demolisher shall rebuild such premises in accordance with the applicable laws, regulations and urban plan, or provide cash compensation.

Article 27 In case of demolition of a leased house, and the displaced person and the lessee dissolves the leasehold relation or the displaced person resettles the lessee, the demolisher shall compensate the displaced person accordingly.

If the displaced person and the lessee fail to agree on the dissolution of the leasehold relation, the demolisher shall grant property swap to the displaced person. If the replacement house is leased by the former lessee, the displaced person shall enter into a new house lease contract with the former lessee.

Article 28 The demolisher shall provide housing that meets the national quality and safety standards for relocation and resettlement.

Article 29 For a house whose property right is unclear, the demolisher shall submit a compensation and resettlement proposal to the administrative department for house demolition for approval before demolition. Before demolition, the demolisher shall go through the conservation of evidence formalities with a notary organ for the demolished house.

Article 30 A mortgaged house shall be demolished in accordance with the state laws on guarantee.

Article 31 The demolisher shall pay a moving subsidy to the displaced person or the lessee. During the transition period, if the displaced person or lessee of the house finds a residence itself, the demolisher shall pay a temporary resettlement subsidy; if the displaced person or lessee uses a turnover house provided by the demolisher, such temporary resettlement subsidy shall not be paid. The rates of the moving subsidy and temporary resettlement subsidy shall be stipulated by the people's governments of provinces, autonomous regions and municipalities directly under the Central Government.

Article 32 The demolisher shall not extend the transition period without authorization; the user of the turnover house shall make it available on time.

If the transition period is extended for the demolisher's sake, the displaced person or lessee who finds a residence itself shall be paid an additional temporary resettlement subsidy from the month of extension, or the user of the turnover house shall pay a temporary resettlement subsidy from the month of extension.

Article 33 If demolition of any non-residential house results in suspension of production or business, the demolisher shall offer appropriate compensation.

Relevant provisions in Regulations on the Expropriation of Houses on State-owned Land and Compensation Therefor Decisions on Expropriation

Article 8 In order to protect national security, promote economic and social development and for other public interests, if houses are absolutely required to be expropriated in any of the following circumstances, decisions on house expropriation shall be made by municipal and county governments:

Article 9 The various construction activities that absolutely need house expropriation pursuant to Article 8 hereof shall comply with the economic and social development planning, overall land use planning, urban and rural planning and special planning. The construction of affordable residential houses and reconstruction of old city districts shall be included in the annual plans of cities and counties for national economic and social development.

Article 10 House Expropriation Departments shall draft compensation programs for expropriation and submit the same to city and county people's governments.

City and county people's government shall organize relevant departments to conduct

feasibility studies on compensation programs for expropriation and disclose the same to the general public for public comment. The period for soliciting public opinions shall not be less than 30 days.

Article 11 City and county people's government shall disclose the information on the solicitation of public opinions and any amendment made to the proposal on the basis of public opinions to the public in a timely manner.

Article 12 Prior to making decisions on house expropriation, city and county people's governments shall make an assessment of social stability risk in accordance with relevant provisions. Any decision on house expropriation that involves a relatively large number of Persons Whose Houses Are to Be Expropriated shall be discussed and made by the executive meeting of the government.

Prior to making decisions on house expropriation, the compensation for expropriation shall be fully paid, deposited in special accounts and used exclusively for special purposes.

Article 13 After having made decisions on house expropriation, city and county people's governments make a public announcement thereof in a timely manner. The announcement shall specify the program for expropriation compensation, and administrative reconsideration, administrative litigation rights and other matters.

City and county people's governments and House Expropriation Departments shall do a good job of the publicity and explanation of house expropriation and compensation therefor.

If any houses have been expropriated according to, the state-owned land use rights are recovered at the same time.

Article 14 If any Persons Whose Houses Are to Be Expropriated have objection to the decisions on house expropriation made by city and county people's governments, such persons may apply for administrative reconsideration or file an administrative action according to law.

Article 15 The House Expropriation Departments shall organize survey and registration of the ownership, location, use, floor areas and other matters of the houses in the scope of the house expropriation, the Persons Whose Houses Are to Be Expropriated shall cooperate. The survey results shall be disclosed to the Persons Whose Houses Are to Be Expropriated within the scope of house expropriation.

Article 16 After the scope of house expropriation has been determined, no new construction, expansion or reconstruction of houses within the scope of house expropriation may be carried out, and the purposes of the houses may not be altered, and any other acts aimed at receiving more compensation may not be carried out. If such acts are carried out in violation of the regulations, no compensation shall be paid.

House Expropriation Departments shall send a notice to the relevant departments of the matters set forth in the preceding paragraph in writing and inform the same of suspending relevant formalities. The written notice of suspending relevant formalities shall specify the time period for suspension. The time period for suspension shall not exceed 1 year.

Compensation

Article 17 The compensation to be paid by the city and county people's governments that have made the decisions on house expropriation to the Persons Whose Houses Are to Be Expropriated shall include:

- (1) The compensation for the value of the houses to be expropriated;
- (2) The compensation for relocation and temporary resettlement arising from the house

expropriation; and

(3) The compensation for losses arising from production and business suspension caused by the house expropriation.

City and county people's governments shall formulate the procedures for subsidies and incentives, and grant subsidies and incentives to the Persons Whose Houses Are to Be Expropriated.

Article 18 If the residential houses of any individuals are to be expropriated and the Persons Whose Houses Are to Be Expropriated meet the conditions for affordable houses, the city and county people's governments that have made the decisions on house expropriation shall give priority to providing affordable houses to such persons. The specific procedures shall be formulated by the authorities of provinces, autonomous regions and municipalities directly under the central government.

Article 19 The compensation for the value of houses to be expropriated shall not be less than the market price of the real estate comparable to the houses to be expropriated on the date of the public notice of the house expropriation decisions. The value of the houses to be expropriated shall be assessed and determined by real estate appraisal agencies with appropriate qualifications in accordance with the procedures for evaluating houses to be expropriated.

Anyone who has objection to the value of the houses to be expropriated that has been assessed and determined may apply to the real estate appraisal agency for reassessment. Anyone who disagrees with the results of the review may apply to the real estate appraisal expert committee for appraisal.

The procedures for the appraisal of the houses to be expropriated shall be formulated by the competent department of the State Council for housing and urban and rural construction. In the process of the formulation, opinions shall be solicited from the general public.

Article 20 Real estate appraisal agencies shall be selected by the Persons Whose Houses Are to Be Expropriated through consultation. If consultations fail, the same shall be determined by majority decision, random selection and other methods. The specific procedures shall be formulated by the authorities of provinces, autonomous regions and municipalities directly under the central government.

Real estate appraisal agencies shall carry out the assessment of the houses to be expropriated in an independent, objective and fair manner, free from interference from any unit or individual.

Article 21 The Persons Whose Houses Are to Be Expropriated may choose monetary compensation or house property rights exchange.

If the Persons Whose Houses Are to Be Expropriated select house property rights exchange, city and county people's governments shall provide the houses to be used for property rights exchange, and, jointly with the Persons Whose Houses Are to Be Expropriated, calculate and settle the price difference between the values of the houses to be expropriated and the values of the houses to be used for property rights exchange.

If personal houses are required to be expropriated due to reconstruction of old city districts, and the Persons Whose Houses Are to Be Expropriated choose property rights exchange with houses located at the site of reconstruction, the city and county people's governments that have made the decisions on house expropriation shall provide the houses located at or near the sites of reconstruction.

Article 22 If any relocation is caused by house expropriation, the house expropriation

department shall pay relocation costs to the Persons Whose Houses Are to Be Expropriated. If any persons choose house property rights exchange, the house expropriation department shall, prior to the delivery of the houses to be used for property rights exchange, pay temporary resettlement costs or provide transitional houses to the Persons Whose Houses Are to Be Expropriated.

Article 23 The compensation for any losses arising from production and business suspension caused by house expropriation shall be determined according to profits, duration of production and business suspension and other factors prior to the house expropriation. The specific measures therefor shall be formulated by the authorities of provinces, autonomous regions and municipalities directly under the central government.

Article 24 City and county people's governments and their relevant departments shall strengthen the supervision and management of construction activities according to law, and shall deal with any construction in violation of urban and rural planning according to law.

Prior to making decisions on house expropriation, city and county people's governments shall organize relevant departments to lawfully investigate, identify and handle any buildings within the scope of expropriation that have not been registered. With respect to any temporary buildings that are identified as legal buildings and have not exceeded the approved time limit, compensation shall be paid, while with respect to any temporary buildings that are identified as illegal buildings and have exceeded the approved time limit, no compensation shall be paid.

Article 25 The House Expropriation Departments and the Persons Whose Houses Are to Be Expropriated shall, pursuant to these Regulations, enter into compensation agreements with respect to the compensation method, the compensation amount and payment terms, the location and area of the houses to be used for property rights exchange, relocation costs, temporary resettlement costs or transitional houses, losses arising from production or business suspension, period of relocation, methods and periods of transition and other matters.

If, after any compensation agreement is entered into, one party fails to perform its obligations set forth in the compensation agreement, the other party may file an action according to law.

Article 26 If any House Expropriation Departments and any persons whose houses are expropriated fail to enter into compensation agreements within the time limit for contract execution specified in the expropriation compensation program, or the owners of the houses to be expropriated are uncertain, the House Expropriation Departments shall request the city and county people's governments that have made the decisions on house expropriation to make decisions on compensation in accordance with the expropriation compensation program and publish the same to the public in the areas of house expropriation pursuant to these Regulations. Compensation decisions shall be fair and shall contain matters in relation to the compensation agreements as set forth in Paragraph 1 of Article 25 hereof.

If any person whose house is to be expropriated has objection to the compensation decision, such person may apply for administrative reconsideration or file an administrative lawsuit according to law.

Article 27 In carrying out house expropriation, compensation shall be paid first before relocation.

After the city and county people's governments that have made the decisions on house expropriation shall pay compensation to the Persons Whose Houses Are to Be Expropriated, the Persons Whose Houses Are to Be Expropriated shall complete the relocation the period of

relocation as agreed upon in the compensation agreements or determined in the compensation decisions.

No unit or individual may compel the persons whose houses are expropriated to relocate through violence, threat or other illegal methods such as water, heat, gas, power supply and road access suspension in violation of the regulations. Construction units shall be prohibited from participating in relocation activities.

Article 28 If the persons whose houses are expropriated fail to apply for administrative reconsideration or institute administrative proceedings within the statutory time limit, and fail to relocate within the period set forth in the compensation decision, the city and county people's governments that have made the decisions on house expropriation shall petition the people's court for enforcement.

The applications for enforcement shall include materials such as the amount of compensation and special account number, the locations and areas of the houses used for property rights exchange and transitional houses as attachments.

Article 29 The House Expropriation Departments shall establish files of house expropriation and compensation, and disclose the information on compensation paid to individual households to the persons whose houses are expropriated in the areas of house expropriation.

Auditing organs shall strengthen their supervision over the management and use of the expenses for expropriation compensation, and disclose the audit results to the public.

Relevant provisions in Assessment Methods for the Expropriation of House on State-owned Land

Article 1 These methods are formulated in accordance with Regulations on the Expropriation of Houses on State-owned Land and Compensation Therefor in order to regulate the appraisal activities for the expropriation of houses on state-owned land, and protect the objectiveness and fair of house expropriation appraisal result.

Article 2 The methods are applied to assess the houses to be expropriated and the houses to be used for property rights exchange on state-owned land, compute the market price of the houses to be expropriated similar to that of real estate, and reassess and appraise the relevant assessment result.

Article 3 The members of real estate appraisal agencies, real estate assessor and the real estate appraisal expert committee (hereinafter referred as the appraisal expert committee) shall perform house expropriation assessment and appraisal independently, objectively and justly, and be with responsibility for the assessment and appraisal opinions that are issued by them.

No unit or individual is allowed to intervene house expropriation assessment or appraisal activity. Challenge system shall be observed for any unit or individual who has any interest with the interested party of house expropriation.

Article 4 The real estate appraisal agency shall be selected by the Persons Whose Houses Are to Be Expropriated with negotiation within a stated period; otherwise the House Expropriation Departments shall determine the real estate appraisal agency by a majority vote through organizing the Persons Whose Houses Are to Be Expropriated, or determine by such random mode as lottery. The specific method shall be established by the province, autonomous region or the municipality directly under the Central Government.

The real estate appraisal agencies are not allowed to contract house expropriation assessment business by such undue means as catering for improper request of the interested party, false promotion or malicious low charge etc.

Article 5 The house expropriation assessment of the same expropriation project shall be assumed by one real estate appraisal agency in principle. In the event of large scope of house expropriation, two or more real estate appraisal agencies may assume it jointly.

In the event that two or more real estate appraisal agencies assume the project, one of them shall be determined to be the leading one after negotiation; the leading one shall organize relevant real estate appraisal agencies to communicate on assessment object, assessment time point, value connotation, assessment foundation, assessment assumption, assessment principle, assessment technical line, assessment method, selection of important parameters, and the method of determining assessment result etc. for the purpose of unified standard.

Article 6 After the selection or determination of real estate appraisal agency, House Expropriation Departments shall usually issue a power of attorney for house expropriation assessment as the client to the real estate appraisal agency, and sign a contract of mandate for house expropriation assessment with it.

The power of attorney for house expropriation assessment shall include the name of the client, the name of entrusted real estate appraisal agency, assessment purpose, scope of assessment object, assessment requirements and entrustment date etc.

The following items shall be indicated in the contract of mandate for house expropriation assessment:

1. Basic information of the client and the real estate appraisal agency;
2. The registered real estate assessor with responsibility for the assessment project;
3. The basic items of assessment such as assessment purpose, assessment object, and assessment time point etc.;
4. Data necessary for the assessment that shall be provided by the client;
5. Rights and obligations of two parties during the assessment;
6. Assessment fee and collecting mode;
7. Time and mode for delivering the appraisal report;

8. Liabilities for breach of contract;
9. Methods for settlement of dispute;
10. Other items that shall be explained.

Article 7 The real estate appraisal agencies shall assign sufficient registered real estate assessor competent for the workload of the house expropriation assessment project to perform the assessment.

The real estate appraisal agencies are not allowed to transfer or transfer in disguised form the house expropriation assessment business with it they are entrusted.

Article 8 The value assessment purpose of the houses to be expropriated shall be defined as “to provide foundation and reference for value compensation of the houses to be expropriated that is determined by House Expropriation Departments and Persons Whose Houses Are to Be Expropriated, and assess the value of the houses to be expropriated”.

The value assessment purpose of the houses to be used for property rights exchange shall be defined as “to provide foundation and reference House Expropriation Departments and Persons Whose Houses Are to Be Expropriated to compute the value of the houses to be expropriated and the price difference of the houses to be used for property rights exchange, and assess the value of the houses to be used for property rights exchange”.

Article 9 Prior to the house expropriation assessment, House Expropriation Departments shall organize the relevant units to survey the houses to be expropriated, and define assessment object. The assessment object shall be complete and objective without any omission or invention.

House Expropriation Departments shall provide the information about the houses within the expropriation scope to the entrusted real estate appraisal agencies, including the registered houses and the cognizance and treatment of non-registered buildings. The findings of investigation shall be publicized to the Persons Whose Houses Are to Be Expropriated within the scope of house expropriation.

For the kind, purpose and building area of the registered houses, the building property title certificate and the house registry usually prevail; for any discrepancy between the building property title certificate and the house registry, the house registry shall prevail unless there does is any evidence proving any mistake in the house registry. For the non-registered buildings, the assessment shall be performed according to the cognizance and treatment result of city- or county-level people’s government.

Article 10 The value assessment time point of the houses to be expropriated is the proclamation date of house expropriation decision.

The value assessment time point for the houses to be used for property rights exchange shall be consistent with that for the houses to be expropriated.

Article 11 The value of the houses to be expropriated refers to the transaction amount of the houses to be expropriated and the land-use right within its occupancy scope by both transaction parties of free will with fair dealing who are familiar with the information under normal transaction conditions and at the assessment time point, without considering the impact of the factors such as lease, mortgage or sequestration of the houses to be expropriated.

That no impact of lease factor is considered in the previous article refers to the value assessment of the houses to be expropriated without limitation of lease; that no impact of mortgage or sequestration factor is considered refers to that the amount of credit for mortgage guarantee of the houses to be expropriated, the construction work cost in arrears and other claims of statutory priority are not deducted from the value assessment.

Article 12 The real estate appraisal agencies shall arrange the registered real estate assessor to perform field survey about the houses to be expropriated, investigate conditions of the houses to be expropriated, make video data such as photos about the internal and external conditions of the houses to be expropriated, make and keep field reconnaissance record in a proper way.

The Persons Whose Houses Are to Be Expropriated shall assist the registered real estate assessor in field reconnaissance of the houses to be expropriated, provide or assist to collect information and data necessary for value assessment of the houses to be expropriated.

House Expropriation Departments, the Persons Whose Houses Are to Be Expropriated and the registered real estate assessor shall sign or seal on the field reconnaissance record for acknowledgement. For the Persons Whose Houses Are to Be Expropriated who refuse to sign or seal on the field reconnaissance record, House Expropriation Departments, the registered real estate assessor and the third part without interest shall witness, and the relevant conditions shall be explained in the appraisal report.

Article 13 The registered real estate assessor shall perform applicability analysis about the market method, revenue method, cost method and assumed development method etc. according to assessment objects and local real estate market conditions before selecting one or more methods for value assessment of the houses to be expropriated.

Market method shall be adopted for the houses to be expropriated with similar real estate transaction; revenue method for the houses to be expropriated or its similar real estate with economic benefit; and assumed development method for the houses to be expropriated that is the construction work in process.

For two or more of above-mentioned assessment methods may be adopted for assessment, two or more of above-mentioned assessment methods shall be adopted for assessment, and the assessment result shall be determined reasonably after verification and comparison analysis of all computation results of the assessment methods.

Article 14 For value assessment of the houses to be expropriated, the factors with impact on the value of the houses to be expropriate such as location, purpose, building construction, age, building area and floorage as well as land-use right of the houses to be expropriated shall be considered.

The interior decoration value of the houses to be expropriated, removal cost of machinery equipment and materials, and the compensation for production stop or business closed shall be negotiated and determined by and between the parties of expropriation; otherwise a real estate appraisal agency could be entrusted for assessment and determination.

Article 15 RMB yuan shall be adopted as the currency for the house expropriation assessment value, and the amount shall be defined by yuan.

Article 16 The real estate appraisal agencies shall provide preliminary assessment result by household to House Expropriation Departments according to the power of attorney for house expropriation assessment or the contract of mandate. The preliminary assessment result by household shall cover composing, basic information and assessment value of the assessment objects. House Expropriation Departments shall publicize the preliminary assessment result by household to the Persons Whose Houses Are to Be Expropriated within the expropriation scope.

During the publication, the real estate appraisal agencies shall arrange the registered real estate assessor to provide field explanation about the preliminary assessment result by household. The real estate appraisal agencies shall make correction if there is any error found out.

Article 17 After the expiration of the publication period about the preliminary assessment result by household, the real estate appraisal agencies shall provide an overall appraisal report and an appraisal report by household on the houses to be expropriated within the entrusted assessment scope to House Expropriation Departments. House Expropriation Departments shall deliver the appraisal report by household to the Persons Whose Houses Are to Be Expropriated.

The overall appraisal report and the appraisal report by household shall be signed by more than two registered real estate assessors who are responsible for the house expropriation assessment project, and sealed with the common seal of the real estate appraisal agencies. No common seal is allowed to replace the signature.

Article 18 After the completion of house expropriation assessment, the real estate appraisal agencies shall assort and file the appraisal reports and relevant data.

Article 19 If the Persons Whose Houses Are to Be Expropriated or House Expropriation Departments have any question about the appraisal reports, the real estate appraisal agencies issuing the appraisal reports shall provide explanation and interpretation to them.

Article 20 If the Persons Whose Houses Are to Be Expropriated or House Expropriation Departments have any objection to the assessment result, they shall apply for reassessment to the real estate appraisal agencies within 10 days at receipt of the appraisal reports.

For the application for reassessment, a written reassessment application shall be submitted to the original real estate appraisal agencies, and the problems existing in the appraisal reports shall be pointed out.

Article 21 The original real estate appraisal agencies shall review the assessment result within 10 days at the receipt of the written application for reassessment. For the original assessment result shall be revised after the review, an appraisal report shall be issued again; for no change to the assessment result, the applicant for reassessment shall be informed of that in written.

Article 22 If the Persons Whose Houses Are to Be Expropriated or House Expropriation Departments have any objection to the review result by the original real estate appraisal agencies, an appraisal shall be applied at the appraisal expert committee in the place where the houses to be expropriated is located within 10 days at the receipt of the review result. If the Persons Whose Houses Are to Be Expropriated still have any objection to the compensation, the Article 26 in Regulations on the Expropriation of Houses on State-owned Land and Compensation Therefor shall be followed for disposal.

Article 23 An appraisal expert committee shall be established by the departments in charge of housing and rural-urban construction in each province or autonomous region, and the real estate administration of the cities where districts are established for the appraisal of review result issued by the real estate appraisal agencies.

The appraisal expert committee shall consist of real estate assessors and the experts in price, real estate, land, urban planning and laws.

Article 24 The appraisal expert committee shall assign its members to be an expert team for appraisal of the review result. The members of the expert team shall be an odd number more than 3 persons, and the number of real estate assessors shall be half at least.

Article 25 The appraisal expert committee shall review such assessment technical issues as assessment procedures, assessment foundation, assessment assumption, assessment technical line, selected assessment methods, selected parameters, and the manner of

determining assessment result of the assessment report to be applied for appraisal within 10 days at the receipt of the appraisal application, and issue a written appraisal opinion.

If there is no technical problem is found out after the appraisal by the appraisal expert committee appraisal, the appraisal report shall be maintained; otherwise the real estate appraisal agencies that issued the appraisal report shall make correction and reissue an appraisal report.

Article 26 During the course of house expropriation assessment, the real estate appraisal agencies shall explain the relevant issues about the assessment in accordance with the requirements of the appraisal expert committee. For any field reconnaissance or survey necessary for the houses to be expropriated, the units or individuals concerned shall provide assistance.

Article 27 For any necessity for inquiring about the property of the houses to be expropriated and the houses to be used for property rights exchange, and the relevant real estate transaction information due to the house expropriation assessment, reassessment or appraisal, the real estate administration and other departments concerned shall facilitate it.

Article 28 During the course of house expropriation assessment, if House Expropriation Departments or the Persons Whose Houses Are to Be Expropriated do not coordinate or refuse to provide any relevant data, the real estate appraisal agencies shall explain the relevant issues in the appraisal report.

Article 29 Unless otherwise the government has special regulations on the price of the houses to be used for property rights exchange, the market value of the houses to be used for property rights exchange shall be determined by assessment.

Article 30 The real estate similar to the houses to be expropriated refers to the real estate that is the same as or similar to the houses to be expropriated in location, purpose, title kind, grade, age, size and building construction.

The market price of the real estate similar to the houses to be expropriated refers to the average transaction value of the real estate similar to the houses to be expropriated at assessment time point. The market price of the real estate similar to the houses to be expropriated shall be determined after the accidental cause and abnormal factors are eliminated.

Article 31 The house expropriation assessment and appraisal costs shall be born by the client. If the original assessment result is altered with the appraisal, however, the appraisal cost shall be born by the original real estate appraisal agencies. The reassessment cost shall be born by the original real estate appraisal agencies. The house expropriation assessment and

appraisal cost shall be collected in accordance with the charging standards stated by the competent department of the government for price issues.

Article 32 Among the house expropriation assessment activities, for any violation of law or regulation of the real estate appraisal agencies and real estate assessor, the entity shall be punished in accordance with Regulations on the Expropriation of Houses on State-owned Land and Compensation Therefor, Administration Methods of Real Estate Appraisal Agencies, and Administration Methods of Registered Real Estate Assessors. For any charge violating any regulation, the competent department of the government for price issues shall punish such entities in accordance with Price Law of the People's Republic of China.

Article 33 This Law shall enter into force on the date of promulgation. The Opinions of Directing Assessment of Urban House Demolition issued by the former Ministry of Construction on Dec. 1, 2003 shall be abrogated therefrom. For the projects with house demolition licenses obtained prior to the implementation of Regulations on the Expropriation of Houses on State-owned Land and Compensation Therefor, however, the original provisions can continue to be followed.

Regulations on the Expropriation and Compensation Appraisal of Houses on State-owned Land of Xinjiang Uygur Autonomous Region Implemented by Xinjiang Uygur Autonomous Region

1 General Provisions

Article 1 These Rules are formulated for the purpose of implementing Code for Real Estate Appraisal (GB/T50291-1999 hereinafter referred to as Code for Appraisal), unifying the procedures and methods for value appraisal of the houses to be expropriated (hereinafter referred to as "Expropriation Appraisal") as well as maintaining the legitimate rights and interests of both parties in relation to the expropriation.

Article 2 These Rules are applicable to the activities of expropriation appraisal of houses on urban and town's state-owned land within the adjustment scope of Regulations on the Expropriation of Houses on State-owned Land and Compensation Therefor (hereinafter referred to as Expropriation Regulations).

The expropriation appraisal of the houses on collectively owned land and demolition land and their accessories shall not be applicable to these Rules, unless otherwise the houses in rural and urban fringe zone and "urban village" without readjusting collective land for construction or homestead.

Article 3 Expropriation appraisal should consider current value of appraisal object and real estate appreciation profit arising from release of the right to use of land for construction,

reasonably determine expropriation compensation price; the expropriation of residential houses should ensure the dwelling condition of the people with houses to be expropriated.

2 Term of Expropriation Appraisal

Article 4 Expropriation appraisal refers to the appraisal of objective and reasonable price or value for the purpose of expropriation compensation for appraisal object, which is performed by professional appraisal personnel in accordance with Code for Appraisal and These Rules after being entrusted by expropriation party.

Article 5 Appraisal object refers to the real estate to be appraised in one specific appraisal project, including house's material substance and its accessories and rights and interests relying on material substance, as well as the right to use of land for construction occupied by the owners of houses to be expropriated.

Article 6 House refers to residential houses and non-residential houses classified according to functions of use. Non-residential houses can be divided into non-residential commercial buildings and other non-residential houses.

Article 7 Appraisal time point is the date when expropriation organ issues expropriation decision. After expropriation decision announcement is issued, if transaction price of real estate market changes to a large extent, the price index should be adjusted when issuing appraisal report.

Article 8 Current value of the houses to be expropriated refers to the carrying value achieved through appraisal of material substance of the houses to be expropriated by calculating based on replacement price of building, deducting depreciation and surveying the house's actual situation.

Article 9 Real estate appreciation profit of appraisal object refers to the value appreciation that is most possibly formed in public market according to land purpose, building plot ratio and other conditions planned and permitted by the city or town where the houses to be expropriated locate.

3 Principles of Expropriation Appraisal

Article 10 Expropriation appraisal should be independent, objective and fair, abiding by Code for Appraisal and these Rules, Expropriation Regulations and the stipulations of autonomous region in relation to expropriation.

Article 11 Where the appraisal object is residential house, expropriation appraisal should not be lower than average market price of medium-priced commodity houses newly established in the same zone; where appraisal object is non-residential houses, the impact of future expected profit on price should be fully considered.

Article 12 Expropriation appraisal shall conform to the principle of integrated disposal of house's ownership and land-use right. The part that land-use area of appraisal object exceeding house's building area shall be separately appraised according to the market price of land.

Article 13 The non-residential houses with land-use right achieved by payment shall be appraised according to the corresponding market price of the land's remaining service life. Where land's remaining service life is not determined, it shall be appraised according to the economy and durability life of the building.

The economy and durability life of the building shall be determined according to Code for Appraisal 5.4.10-5.4.11.

Article 14 Expropriation appraisal will not consider the impact of house lease, pledge, seizure and other factors on value of appraisal object. The following costs should be independently calculated and listed in total costs of expropriation compensation, and should not be used expropriation appraisal item:

- (1) Temporary settlement allowance;
- (2) Moving expenses;
- (3) Compensation fee for losses of production or business suspension arising from expropriation of operating houses;
- (4) Damage compensation fee of independently decorated part of the houses to be expropriated;
- (5) Various subsidies and rewarding costs paid to expropriated people and lessees as specified by municipal and county-level governments.

Temporary settlement fee shall be implemented according to the standard determined and published by the people's government of the city or county where the houses locate according to the market price of house lease, unless otherwise the temporary settlement houses with rent standard determined by the government.

Loss compensation fee for production and business suspension and decoration damage compensation fee shall be determined through negotiation between expropriation people and expropriated people; if no consensus can be reached, they can entrust real estate appraisal institution to appraise separately.

Article 15 Material substance situation and rights and interests situation of expropriation appraisal object shall be subject to the record of house ownership register; where material substance situation and rights and interests situation of expropriation appraisal object have changed and house ownership registration has not been settled before expropriation announcement is issued, the appraisal object should be appraised according to the investigation,

identification and disposal results of relevant departments organized by municipal and county-level people's governments, and revised.

Article 16 Expropriation appraisal should be implemented in strict accordance with the appraisal program specified in Code for Appraisal 4.0.1-4.0.6. Appraisal personnel shall go to appraisal object site to survey appraisal object, verify, collect and supplement appraisal data, and shoot image data.

Where the appraisal object cannot be surveyed on site due to the reason of expropriated people, the same category of appraisal object should be used to complete site survey. Survey activity should be witnessed by the third person uninterested in expropriation appraisal and explained in the appraisal report.

4 Appraisal Approaches

4.1 Application of expropriation appraisal approaches

Article 17 Expropriation appraisal shall apply to market comparison approach, income approach and cost approach.

Article 18 The same appraisal object should be appraised with more than appraisal approaches. If more than appraisal approaches cannot be adopted, sufficient reason should be provided and explained in the appraisal report.

Article 19 Where the appraisal object belongs to transactional house (e.g. various dwelling, office buildings, shopping malls, standard plants, etc.), market comparison approach should be used as main appraisal approach.

Article 20 Where market comparison approach cannot be used and rent or operating income can be obtained from the appraisal object, income approach should be used as main appraisal approach.

Article 21 Where appraisal object belongs to non-transactional house (e.g. special plant, historic building, temple, memorial architecture, library, gymnasium, hospital, school, non-commercial office building and other public benefit houses), construction in progress, or the house cannot be appraised with market comparison approach and income approach, cost approach can be used as main appraisal approach.

4.2 Market comparison approach

Article 22 Appraisal with market comparison approach should be implemented as specified in Code for Appraisal 5.2 and the following procedures:

(1) Extensively collect transaction cases and accurately master the market price information of real estate;

(2) In case of expropriation of non-residential houses, select comparable cases according to Code for Appraisal 5.2.5-5.2.9, and revise the comparable cases to evaluate comparison benchmark price;

(3) In case of expropriation of residential houses, select market transaction price of medium-priced commodity house newly established in the same zone of the removed project to determine comparison benchmark price.

Article 23 During selection of comparable cases, regional or individual factors, average price of houses, knocked down price, transaction date, terms of payment and other conditions should be defined and explained in the report.

Article 24 The principle and technology of market comparison approach can also be used in evaluation of relevant parameters in other appraisal approaches.

4.3 Income approach

Article 25 Income approach should be applied according to the specifications and procedures of Code for Appraisal 5.3.

Article 26 Expropriation appraisal of capitalization rate of profitable real estate shall apply to market collection approach and safety interest rate plus risk adjustment value approach. Where capitalization rate exceeds 5%, calculating data and text description should be attached.

Article 27 When evaluating the net profit of profitable real estate, the future net profit flow should be reasonably evaluated according to the variation of net profit in the past, current time and future.

4.4 Cost Approach

Article 28 Cost approach appraisal should be applied according to the specifications and procedures of Code for Appraisal 5.4.

Article 29 Where appraisal object is calculated at replacement price or reconstruction price, market comparison approach and benchmark land price coefficient correction approach should be used in value calculation of land-use right value to directly evaluate land market price at appraisal time point. Unless land and planning departments identify as illegal land occupation or authorized construction that should be removed or confiscated in accordance with law, the land market price within occupation scope of appraisal object should not be deducted to determine expropriation appraisal.

Article 30 Where appraisal object is non-residential house, newness rate can be determined according to the specifications of straight line approach and newness discount approach of Code for Appraisal 5.4.9. Evaluation report should be attached with calculation

process. Where appraisal object is residential house, the difference in price revised according to service life will not be deducted.

Article 31 Durability of building shall be calculated according to the specifications of Code for Appraisal 5.4.10-5.4.11.

5 Results and Report of Expropriation Appraisal

Article 32 Results and report of expropriation appraisal should be in conformity with the specifications of Code for Appraisal 7.0.1-8.0.7.

Where the houses to be expropriated are appraised with market comparison approach or cost approach, the present value of the houses to be expropriated should be appraised as the reference for municipal and county-level people's governments in preparation of subsidy and reward regulations.

Article 33 The purpose of expropriation appraisal is only described as “appraise the market price of real estate in order to determine the value of the houses to be expropriated”.

Article 34 Monetary unit of expropriation appraisal shall be as exact as yuan in RMB.

Article 35 In case of vast stretches of expropriation, the appraisal institution should issue overall appraisal report and branch appraisal report. Overall appraisal report should adopt word description, and branch appraisal report can use form description.

Article 36 Before issuing branch appraisal report, the appraisal institution should publish the first draft of appraisal report to expropriation parties and fully listen to the opinions of both parties in relation to the expropriation.

Where expropriation parties have doubts about appraisal report, they can consult the appraisal institution. The appraisal institution should explain the basis, principle, program, method and parameter selection of demolition appraisal as well as generation process of appraisal results to the expropriation parties.

Where the appraisal report has errors, the appraisal institution should timely revise and adjust.

6 Re-appraisal and Identification Program

Article 37 Where expropriated people have doubts on the appraisal report and apply the original appraisal institution for appraisal review, the appraisal institution should make review conclusion within 5 days upon receiving the application of written appraisal review; issue new appraisal report in case of variation of appraisal results; and issue written notification in case of no change of appraisal results.

Article 38 Where expropriation parties have doubts on appraisal report and apply Committee of Experts of Autonomous Region Real Estate Price Appraisal (hereinafter referred to as Committee of Experts) for identification, it shall be implemented according to relevant specifications.

Committee of Experts shall review the appraisal basis, technical route of appraisal, selection of appraisal approaches, parameter selection, determination method of appraisal results and other technical appraisal items for identification of appraisal report, and issue written identification opinions. Where the appraisal report has errors through the identification of Committee of Experts, the appraisal institution should revise, adjust and issue a new appraisal report.

In case of any doubts on the identification opinions of Committee of Experts, the appraisal institution may apply housing and urban and rural construction authority in the autonomous region for disposal.

7 Code of Appraisal Conduct

Article 39 When engaging in appraisal activities, the appraisal personnel and the appraisal institution should abide by the specifications of Regulations on the Expropriation of Houses on State-owned Land and Compensation Therefor and Code for Appraisal 9.0.1-9.0.6.

Circulation on Adjusting Standards of Grassland Compensation Fee & Resettlement Subsidy Fee by Xinjiang Uygur Autonomous Region

In order to enhance grassland protection, management, construction and rational utilization as well as protect vital interests of farmers and herdsmen of all ethnic groups, in the spirit of [2010] 91 Reply on Adjusting Standards of Grassland Compensation Fee and Resettlement Subsidy Fee by Xinjiang Uygur Autonomous Region People's Government and after combining the actual situation in Xinjiang, it is hereby notifying concerned issues as follows :

1. Adjust standard of grassland compensation fee and resettlement subsidy fee. Compensation standard in grassland shall be 6-10 times of average annual output value of three years of the grassland prior to the requisition; as for resettlement subsidy standard, similarly, shall be 4-6 times of average annual output value of three years of the grassland prior to the requisition, and each hectare shall not exceed 15 times of that to the maximum. Abovementioned grassland compensation fee and resettlement fees shall not exceed 30 times of the average annual output value three years of the grassland prior to the requisition.

2. In case of the need for temporary use of grasslands, including dredging, mining, earth, gold mining, geology (oil) exploration, road construction, erection (laying) pipeline, construction of tourist spots, etc., the fee of temporary use grasslands should be paid in line with grassland compensation base. In the event of units and

individuals purchase or excavate medicinal plants or economic plants on grassland, they need pay grassland medicinal (economic) plant resources compensation fee, that is 5-10% of purchase price of on that same year.

3. Administration departments in Xinjiang Uygur Autonomous Region, along with departments in charge of price and finance issue, should further improve periodic evaluation and adjustment mechanism on grassland value, to regularly assess the value of grassland and determine the compensation base of grassland. The mechanism shall be promulgated and implemented after getting the approval from government of Xinjiang Uygur Autonomous Region.

4. The unit which charge the fees should go to government department in charge of price to go through change procedures of Charging License. They should charging price transparently by using price tag, and standardized financial vouchers printed by financial department, and consciously accept the supervision and inspection from farmers and herdsmen, and such departments in charge of prices, finance etc.

5. The standard stipulated in this notice shall be implemented from the date of circulation. In case of any discrepancy between the provision of this notice and previous one, namely, Notice on Charge Standards of Grassland Supervision ([1999] 3) by Price Bureau and Finance Bureau of Xinjiang Uygur Autonomous Region, Notice on Supplementary Regulations of Charge Standards of Grassland Supervision ([2005] 1138) by Xinjiang Uygur Autonomous Region Development and Reform Commission, Ministry of Finance, the provisions of this notice shall prevail.

Regulations of XUAR for the Implementation of the Land Administration Law of the PRC

Chapter 1 General Provisions

Article 2 These Regulations shall be complied with by all those who engage in land protection, development, utilization, supervisory and administrative activities within the jurisdiction of Xinjiang Uygur Autonomous Region.

Article 6 State-owned land shall be used on a compensated basis according to law, and shall not be invaded, traded or transferred illegally by any entity or individual in any form.

Governments at all levels shall take steps to plan, strictly manage, conserve and develop land resources, and prohibit illegal land occupation.

Chapter 2 Land ownership and use rights

Article 8 Users of state-owned land and owners or users of collective land must apply for land registration with the administrative authority for land of a county-level or above government, and obtain a permit to use state-owned land or certificate of ownership or permit to use collective land.

Chapter 4 Farmland protection and land reclamation

Article 20 A compensation system for farmland occupation is practiced in Xinjiang Uygur Autonomous Region. Anyone who occupies farmland for nonagricultural construction with approval must be reclaim farmland of the same amount and quality as the occupied farmland or obtain it by land consolidation; where conditions do not permit farmland reclamation, farmland reclamation fees shall be paid at a rate of 15,000-45,000 yuan per hectare based on the rating of the occupied farmland to be used specifically for farmland reclamation.

Article 21 Anyone who occupies basic farmland with legal approval and has to pay farmland reclamation fees shall pay such fees at 1.5 times the rate for ordinary farmland reclamation.

Article 25 The following types of land shall not be reclaimed:

- (1) Prohibited areas identified in overall land utilization plans;
- (2) Natural hay fields, artificial pastures, fenced pastures and high-grade pastures;
- (3) Woodland and river or lake flat;
- (4) Sloping land with a gradient of over 25 degrees and desert land exposed directly to sandstorm; and
- (5) Areas whose ownership is disputed.

Chapter 5 Land for Construction

Article 31 The examination and approval procedures for converting agricultural land to construction uses shall be gone through in accordance with the following provisions in case land is occupied by state construction.

(1) In the range of the land for village and town construction defined in the overall planning of township land utilization, the use of the land collectively owned by farmers and herdsmen for construction of township and village enterprises, rural common facilities, public utilities, rural roads, water conservancy projects and other facilities is subject to the approval of autonomous prefecture or municipal people's government or administrative office according to the control quotas defined by the yearly plan for land use.

(2) In the range of the land for village and town construction defined in the overall planning of land utilization, the use of the land for implementation of the planning is subject to the approval of the People's Government of the autonomous region or shall comply with the provisions of the laws and regulations approved by the State Council.

Article 35 Land expropriated for state construction shall be compensated according to the following standards:

(1) 8 to 10 times the annual output value of local cultivated land shall be compensated for expropriated basic farmland;

(2) 7 to 9 times the annual output value of local cultivated land shall be compensated for expropriated irrigable land and fish pond other than basic farmland;

(3) 7 to 8 times the annual output value of local cultivated land shall be compensated for expropriated dry cultivated land other than basic farmland;

(4) 6 to 7 times the annual output value of local cultivated land shall be compensated for expropriated forest land, artificial grassland, house site, rural road, threshing floor and other lands;

(5) 6 times the annual output value of local grassland shall be compensated for expropriated natural grassland;

The land as sated in Point (1), (2), (3) and (4) expropriated for construction of major transport, water conservancy and other projects approved by the state or the autonomous region shall be compensated 6 times the annual output value of local cultivated land.

The output values of all types of cultivated lands and grasslands shall be determined to the average annual production value of the three years before requisition.

Article 36 The young crops and their attachments on expropriated land shall be compensated to the following standards:

(1) Common young crops shall be compensated to their average output value of in the last three years. Young root crops shall be compensated to 2 to 3 times their average output value of in the last three years.

(2) The buildings, structures, other facilities and forest trees on expropriated land shall be compensated according to the actual losses under the relevant stipulations.

(3) For the relocation of the tombs on expropriated land, the local people's government makes an announcement on and time limit of and reimbursement for reburial in pursuance of the relevant prescriptions. Unclaimed tombs and those having not been relocated within the time limit will be removed by the associated department as organized by the local people's government.

Article 37 The relocation subsidy for expropriated arable land shall be paid under the Land Administration Law of the PRC, Article 47, Clause 2. The relocation subsidy may be appropriately increased provided that the per capita arable land is less than 0.1 hectare before land requisition. However, the total sum of the land compensation and relocation subsidy for

expropriated land shall not exceed 30 times its average annual output value before land requisition.

The relocation subsidy for expropriated fish pond shall be paid with reference to that for adjacent cultivated land.

The relocation subsidy for expropriated forest and grass lands shall be determined with reference to that for cultivated land requisitioned. No relocation subsidy shall be paid for the requisition of house sites, rural roads and threshing floor.

Article 39 The compensation for expropriated rural land of collective economic organization is owned by the rural collective economic organization. The compensation for the attachments and young crops on the land is owned by their respective owners.

The collective economic organization expropriated of land shall make the incomings and outgoings of the compensation for land requisition to its members and subject itself to supervision. Misappropriation and peculation of the compensation for the land requisition and other related funds are prohibited.

Article 40 When the people expropriated of land are to be resettled by a rural economic organization, the resettlement subsidy shall be paid to the organization, which manages and uses the money according to laws. If they are to be resettled by other organization, the resettlement subsidy shall be paid to the corresponding resettling organization. In case no unified resettlement is required, the resettlement subsidy shall be paid to the individuals to be resettled or used for pay their insurance expense with their approval. The resettlement subsidy shall be earmarked its specified purposes only without peculation.

Municipal, county and township governments shall enhance the supervision of the use of resettlement subsidy.

Article 46 The areas of the house sites of rural villagers shall follow the following standards (by county for per capita cultivated land).

(1) The area of the house site of each household shall not be greater than 200m² if the per capita cultivated land is less than 0.04 hectare.

(2) The area of the house site of each household shall not be greater than 300m² if the per capita cultivated land is 0.04 to 0.07 hectare.

(3) The area of the house site of each household shall not be greater than 400m² if the per capita cultivated land is 0.07 to 0.1 hectare.

(4) The area of the house site of each household shall not be greater than 500m² if the per capita cultivated land is 0.1 to 0.14 hectare.

(5) The area of the house site of each household shall not be greater than 600m² if the per capita cultivated land is 0.14 to 0.34 hectare.

(6) The area of the house site of each household shall not be greater than 800m² if the per capita cultivated land is over 0.34 hectare.

The above standards for the areas of house sites may be appropriately raised up to twice if unused lands are used for building houses.

Applicable provisions of the Grassland Law of the PRC

Chapter II Ownership of Grasslands

Article 9 The grasslands are owned by the State, with the exception of the grasslands owned by collectives as provided for by law. With respect to the State-owned grasslands, the State Council shall exercise the right of such ownership on behalf of the State.

No unit or individual may take illegal possession of, trade in or illegally transfer in other forms the grasslands.

Article 10 The State-owned grasslands may, in accordance with law, be allocated for use to the units under the ownership by the whole people and to collective economic organizations.

All units that use the grasslands shall fulfill the protecting, developing and rationally using the grasslands.

Article 11 With respect to the State-owned grasslands which, in accordance with law, are allocated for use to units under the ownership by the whole people and to collective economic organizations, the people's governments at or above the county level shall register such grasslands, issue certificates for the right of use to the said units and organizations after verification and thus establish their right to use such grasslands.

With respect to the State-owned grasslands, for which the right of use is not allocated, the people's governments at or above the county level shall register such grasslands and shall be responsible for their protection and control.

With respect to the grasslands owned by collectives, the people's governments at or above the county level shall register such grasslands, issue to the collectives the certificates of ownership after verification and establish their right of ownership of such grasslands.

Where the ownership of grasslands is changed in accordance with law, the formalities for registration of shall be completed.

Article 12 The right of ownership and the right of use of the grasslands registered in accordance with law shall be protected by law, and no unit or individual may infringe upon such ownership or right.

Article 13 The grasslands owned by collectives or the State-owned grasslands which have been allocated for use to collective economic organizations may be contracted for management by households individually or jointly within the said collective economic organizations.

No adjustment may be made to the grasslands used by the contractors within the term of contractual management of the grasslands; where appropriate adjustments need be made to a few pieces of grasslands, the matter shall be subject to agreement by two-thirds or more members of the villagers (herdsmen) assembly, or two-thirds or more villagers' (herdsmen's) representatives, of the collective economic organization concerned and shall be reported for approval to the township (town) people's government and the competent administrative department for grasslands under the people's government at the county level.

Where grasslands owned by a collective or the State-owned grasslands which are allocated for use to a collective economic organization in accordance with law are contracted to units or individuals other than the ones of the said organization, the matter shall be subject to agreement by two-thirds or more members of the villagers (herdsmen) assembly, or two-thirds or more villagers' (herdsmen's) representatives, of the collective economic organization concerned and shall be reported for approval to the township (town) people's government.

Article 14 For contractual management of a piece of grasslands, the party contracting out the grasslands and the contracting party shall sign a written contract. The contents of the grassland contract shall include the rights and obligations of both parties, the four boundaries, area and grade of the contracted grasslands, the term of the contract and the starting and expiration dates, the purpose of use of the grasslands and the liabilities for breach of the contract, etc. At the expiration of the term of the contract, the original contractor shall, under equal conditions, have the priority of the right to contract.

The units and individuals for contractual management of grasslands shall fulfill the obligations of protecting, developing, and rationally using the grasslands in adherence to the purpose of use as agreed upon in the contract.

Article 15 The right to contractual management of grasslands is protected by law, and it may be transferred in accordance with law and on the principles of voluntariness and compensation.

The transferee of the right to contractual management of grasslands shall have the capability of pursuits in animal husbandry and shall fulfill the obligations of protecting, developing, and rationally using the grasslands in adherence to the purpose of use as agreed upon in the contract.

The transfer of the right to contractual management of grasslands shall be subject to agreement by the party contracting out the grasslands. The term of transfer agreed upon in the transfer contract by the contractor and the transferee may not exceed the remaining period of the original contract.

Article 16 Disputes over the ownership or the right of use of grasslands shall be settled by the parties through consultation; and where consultation fails, the disputes shall be handled by the people's government concerned. Disputes between units shall be handled by the people's government at or above the county level; disputes between individuals or between individuals and units shall be handled by the township (town) people's government or the people's government at or above the county level.

Pending the settlement of a dispute over ownership of grasslands, none of the parties may change the status quo in which the grasslands is being used, or damage the grasslands in question or the facilities thereon.

Chapter V Use

Article 33 Contractors for grassland management shall make rational use of the grasslands, and they may not exceed the stock-carrying capacity verified by the competent administrative department for grasslands; and they shall take such measures as growing and reserving forage grass and fodder, increasing the supplies of forage grass and fodder, readjusting their disposition of livestock, optimizing the mix of livestock and increasing the number of heads of livestock for sale, in order to keep the balance between grass yield and the number of livestock raised.

The standard for grassland stock-carrying capacity and the measures for control of the balance between the grass yield and the number of livestock raised shall be formulated by the competent administrative department for grasslands under the State Council.

Article 34 Contractors for grassland management in pastoral regions shall practice regional rotation grazing, rational distribution of herds and balanced use of grasslands.

Article 35 The State encourages rearing livestock in pens in rural areas, in semi-rural and semi-pastoral areas and in the pastoral areas where conditions permit. Contractors for grassland management shall, according to the kinds and number of livestock they raise, readjust and reserve forage grass and fodder and employ new techniques such as forage grass and fodder ensiling and processing, in order to gradually change the mode of production in which grazing depends solely on natural grasslands.

In areas where grazing is prohibited or closed grazing or rotation grazing is practiced, the State gives grain or funds as subsidies to people who raise livestock in pens, and the specific measures in this respect shall be formulated by the State Council or the relevant department authorized by it.

Article 36 For people working on haying grounds or bases for breeding wild grass seeds, shoots or tissues, the competent administrative departments for grasslands under the people's governments at or above the county level shall specify a rational period of time for grass

mowing and variety collecting as well as the height for the stubble left and intensity for cutting and collecting, in order to practice rotation mowing and collecting.

Article 37 Where, under special circumstances such as natural disaster, it is necessary to temporarily readjust the use of grasslands, the matter shall, on the principles of voluntariness and mutual benefit, be resolved through consultation by the two parties concerned. Where it is necessary to temporarily readjust the use of grasslands between counties, the matter shall be resolved through consultation arranged by the relevant people's governments at the county level, or by the people's government at a higher level to which the people's governments at the county level are both subordinated.

Article 38 No grasslands, or as little grasslands as possible, may be occupied for exploiting mineral resources and engineering. Where it is necessary to acquisition or use grasslands, the matter shall be subject to examination and approval by the competent administrative department for grasslands under the people's government at or above the provincial level, and, the examination and approval formalities for the use of land for construction shall be completed in accordance with the laws and administrative regulations on land administration.

Article 39 Where grasslands owned by collectives are to be acquired for construction, compensation shall be made to the said collectives in accordance with the Land Administration Law of the People's Republic of China; and where State-owned grasslands are to be used for construction, compensation shall be made to the contractors for grassland management in accordance with the relevant regulations of the State Council.

Where grasslands are to be acquired or used for construction, fees for restoration of grassland vegetation shall be paid. Such special fees shall be used for special purposes, that is, to be used in accordance with relevant regulations by the competent administrative department for grasslands to restore grassland vegetation, and no unit or individual may withhold or misappropriate them. The measures for collection, use and management of the fees for restoration of grassland vegetation shall be formulated by the competent administrative department for pricing and the financial department under the State Council jointly with the competent administrative department for grasslands under it.

Article 40 Where it is necessary to occupy a piece of grasslands temporarily, the matter shall be subject to examination and approval by the competent administrative department for grasslands under the people's government at or above the county level.

The time limit for temporary occupation of grasslands shall not exceed two years and no permanent building or structure may be put up on the grasslands that are temporarily occupied; and at the expiration of the time limit, the unit using the grasslands shall restore the vegetation and return the grassland without delay.

Regulations of XUAR for the Implementation of the Grassland Law of the PRC

Article 17 The requisition of collectively owned grassland for state construction shall comply with the Land Administration Law of the PRC and the Regulations of XUAR for the Implementation of the Land Administration Law of the PRC. The use of the grassland owned by the whole people for state construction shall be allocated with the approval in accordance with the procedure and approving authority of land expropriation for state construction. The construction unit shall properly compensate the original use unit for losses thus incurred and appropriately resettle the living and production of herdsmen, provide them with grassland or arrange the employment of conforming herdsmen. The construction unit shall be responsible for relocation of the original use unit if required.

The examination and approval of the expropriation or use of grassland for state construction shall ask for the advices from the concerned department in charge of animal husbandry in advance. Grassland compensation shall be used only for grassland construction other than other purposes. The appropriation or use of grassland in an autonomous prefecture or county for state construction shall give consideration of its interests and make arrangements in favor of its economic construction.

Article 19 The temporary use of grassland for geological prospecting, erection of lines above ground, laying of underground pipeline, military exercise, etc is subject to the approval of the quantity, location and time limit from the local county people's government by presenting the approval document or prospecting certificate issued by the higher competent authority. Consideration shall be given to the advices of the concerned department in charge of animal husbandry on approval of land use. For temporary use of grassland, the grassland shall be compensated year by year according to its average annual output value in the last three years, grassland vegetation recovered and the grassland returned as scheduled.

The grassland shall be compensated 2 to 4 times its average annual output value of in the last three years in case of serious damage (irrecoverable within three years) of grassland vegetation and 4 to 5 times in case of fundamental damage (irrecoverable naturally).

Applicable provisions of the Forest Law of the PRC

Article 3 The forest resources shall belong to the state, unless the law stipulates they belong to the collective.

For the forests, trees and woodlands owned by the state and the collective and the trees and woodlands owned by private individuals, the people's government above the county level shall register and record them, issue certificates and confirm the ownership and the right to use. The State Council may authorize the competent forestry authorities under the State Council to register and record the forests, trees and woodlands in key forest districts determined by the State Council to be owned by the state, issue certificates and inform relevant local people's governments.

The legitimate rights and interests of the owners and the users of the forests, trees and woodlands shall be protected by the law; no organization and private individual shall such rights and interests.

Article 10 The competent forestry authorities under the State Council shall be responsible for the forestry work nationwide. The competent forestry authorities under the people's government above the county level shall be responsible for the forestry work in their jurisdiction. The people's government at the township level shall set up full-time or part-time posts responsible for the forestry work.

Article 18 Prospecting, mining and various construction projects shall not occupy or occupy as little as possible woodlands; in case of necessary occupancy or expropriation of woodlands, upon examination and approval of the competent forestry authorities under the people's government above the county level, the examination and approval formalities for land needed for construction shall be gone through in line with relevant land administration laws and administrative regulations; and the land-use organization shall pay forest vegetation recovery expenses in line with the applicable provisions of the State Council. The forest vegetation recovery payments shall be used for designated purposes; the competent forestry authorities shall use them, according to relevant stipulations, for forestation, recovery of forest vegetation; the area of forestation shall not be smaller than the area of forest vegetation reduced as a result of woodlands occupied or expropriated. The competent forestry authorities at a higher level shall periodically urge and inspect the competent forestry authorities at a lower level in the organization of forestation and recovery of forest vegetation.

No organization and private individual shall divert the forest vegetation recovery payments. The competent auditing authorities of the people's government above the county level shall strengthen their supervision of the situation in connection with the use of the forest vegetation recovery payments.

Regulations of XUAR for the Implementation of the Forest Law of the PRC

Article 15 The occupation or requisition of forest land for mineral exploration and mining and other construction projects is subject to the approval of the competent forestry authority of the people's government above county level. For occupation or expropriation of the forest land directly administered by the competent forestry authority of prefecture (city), county (city) or autonomous region, an application form shall be submitted to the authority and the relevant formalities gone through in compliance with the laws and regulations on forest and land administration.

Article 16 The organization approved to occupy or expropriate forest land shall pay forest cover recovery charges to the competent forestry authority of the people's government above county level and forest land compensation, forest compensation and resettlement subsidy to the owners of the land.

The standards for forest cover recovery charges shall be developed by the competent forestry authority of the autonomous region together with competent pricing authority in pursuance of the concerned regulations of the state and submitted to the people's government of the autonomous region for approval before execution. Forest land compensation, forest compensation and resettlement subsidy shall comply with the Regulations of XUAR for the Implementation of the Land Administration Law of the PRC. It is required to go through examination and approval procedures as per Article 15 for conversion of forest land to non-forestry construction uses by a forest operator within the range of its forest land except the facilities directly used for forestry production.

Article 17 The organization approved to occupy or expropriate forest land shall pay forest cover recovery charges to the competent forestry authority of the people's government above county level and forest land compensation, forest compensation and resettlement subsidy to the owners of the land.

The erection and arrangement of power transmission line, communication line and tourist cableway, laying of pipeline and construction (expansion) of road shall avoid forest. When it is unavoidable and required to fell an entire forest belt or forest, the construction unit shall present an application to the competent forestry authority of prefecture (city) in advance. For felling of odd woods, an application shall be submitted to the competent forestry authority of county (city) and associated procedures handled according to laws and the owner of the woods compensated economically.

For temporary occupation of forest land, the organization or individual occupying the forest land temporarily shall sign an agreement on temporary use of land with the organization or individual having the right to use the forest land, apply for examination and approval of the

competent forestry authority above county level and pay vegetation recovery charge to the authority. If it is required to cut woods, the operator or owner of the forest shall be compensated for the woods.

Measures of Burqin County for the Administration of Low-rent Housing for Urban Minimum-income Households

Article 5 Houseless households or those with a per capita housing building area of below 13 square meters or those with a per capita housing building area of above 13 square meters but whose house is dilapidated (identified to attain Grade C or D), and meeting the criteria for urban minimum income households shall be entitled to low-rent housing.

Article 6 Low-rent housing for urban minimum income households shall be offered in the modes of housing rental subsidy and housing supply, in which the former is the main mode. The housing rental subsidy shall apply to a housing building area of not more than 50 square meters per household. In case of housing supply, the rental rate shall be fixed based on repair costs and management fees.

Chapter 4 Subsidization and Resettlement

Article 15 Low-rent housing shall be allocated by the county housing management bureau based on the list of proposed households and the available stock of housing. Unit areas shall not exceed 50 square meters.

Article 16 The rental rate of low-rent housing shall be fixed by the government, and shall consist of repair costs and management fees. The specific rate shall be fixed by the county development and reform commission and the county construction bureau jointly on an annual basis.

Article 17 A single resettlement system shall apply to the housing supply mode. A household approved to rent low-rent housing must enter into a lease contract with the county housing management bureau before moving in. The lessee shall pay rent pursuant to the contract. Any candidate household who refuses to accept the housing supply arrangements may be rotated again.

Article 18 Minimum income households under the housing supply mode shall be exempt from paying a housing lease deposit.

Chapter 5 Eligibility and Standard for Security

Article 19 A household applying for low-rent housing (hereinafter referred to as the candidate household) shall meet all of the following conditions:

(1) Its per capita income meets the minimum income standard specified in the policy for urban low-rent housing, and it has received minimum living security assistance from the civil affairs authority for over 12 consecutive months;

(2) Its present per capita housing building area meets the area standard specified in the policy for urban low-rent housing, namely less than 13 square meters;

(3) All of its members have local nonagricultural resident household registration and actually live in the county, at least one of its members has obtained local resident household registration for over 3 years, and the other members have moved in the present residence for at least one year;

(4) There are statutory support, fostering or maintenance relations among its members; and

(5) It meets other criteria specified in our county's low-rent housing policy

Article 20 The modes of low-rent housing security include housing supply and rental subsidy, to be determined by the county construction bureau based on the candidate household's practical conditions.

Article 21 The building area of low-rent housing shall be 50 square meters.

Article 22 The rental and subsidy rates for low-rent housing shall be fixed by the county development and reform commission together with the construction bureau, adjusted from time to time, and published on local media and through the government website or bulletin board.

Article 23 If the per capita housing area of a household entitled to low-rent housing is less than 13 square meters, a rental subsidy shall be provided for the deficiency.

Chapter 6 Application and Approval

Article 24 The householder of the candidate household shall apply for low-rent housing; if the householder does not have full civil capacity, the candidate household shall elect a member with full civil capacity as the applicant.

The applicant shall file a written application with the community committee, and provide the following materials:

(1) A certificate of minimum living security issued by the civil affairs authority or a certificate of income issued by any competent authority determined by the government;

(2) A certificate of present housing issued by the employer of a member of the candidate household or the community committee;

(3) The ID cards and household register of the members of the candidate household;

(4) The Application Form for Urban Low-rent Housing Security of Burqin Town filled out by the applicant;

(5) A certificate of marital status; and

(6) Other evidence to be submitted.

If the applicant is not the householder, a written power of attorney signed by the other members with full civil capacity shall also be provided.

Article 25 After receiving the low-rent housing application materials, the community committee shall conduct a field investigation and submit its acceptance opinion to the town government (acceptance authority). The acceptance authority shall make a decision of acceptance or not timely, and issue a written document to the applicant. If the application materials are incomplete or do not comply with the legal format, all corrections to be made shall be notified to the applicant within 5 days, where the time of acceptance shall be calculated from the day following the makeup of the materials; if such notice is not given within above period, the town government shall be deemed to accept the application from the date of receipt of the application materials.

After the application materials are complete, the acceptance authority shall give an opinion timely and hand over all application materials to the county construction bureau.

Article 26 After receiving the application materials from the acceptance authority, the county construction bureau shall organize a review team together with the civil affairs bureau and town government to review such materials, and may investigate the candidate household's income, population and housing conditions by means of record retrieval, door-to-door interview, neighborhood interview or evidence solicitation letter. The candidate household and entities, organizations or individuals concerned shall provide information truthfully. The county construction bureau shall issue its review decision within 15 days from the date of receipt of the application materials.

If the candidate household is eligible, the county construction bureau shall disclose its review decision through the government website or bulletin board for 15 days. If the candidate household is not eligible, the county construction bureau shall give a written notice to the applicant through the acceptance authority to specify the reason.

Article 27 If there is no objection or any objection is untenable during the disclosure period, the county administrative authority for real estate shall register the candidate household formalities and give a written notice to the applicant. If there is any objection during the disclosure period, the county construction bureau shall verify such objection within 10 days. If the objection is found to be tenable, the candidate household shall not be registered and a written notice shall be given to the applicant through the acceptance authority, specifying the reason for non-registration.

Article 28 A candidate household that has been registered shall wait in rotation according to the provisions of the county construction bureau. Households without ability to work, source of income, legal supporter or maintainer, households eligible for preferential treatment or suffering from heavy disability, and household households as identified by the town government and county civil affairs bureau may have priority in receiving low-renting housing.

During waiting in rotation, if the candidate household's income, population or housing changes, the application shall notify the county construction bureau of such change timely for review and change of registration.

Table Notes to Document [XJJF (2001) No.500]

Table Note 1:

Calculation bases of farmland compensation

Unit: yuan/mu

Grade	I (High-yield)	II (High-yield)	III (High-yield)
Level	1200	640	480
Notes	1. These rates apply to farmland on which cereal crops are grown; 2. For farmland on which special crops are grown, vegetable plots and orchards, annual output values shall be higher than that of Grade I farmland; that of cotton land may be up to 105 times, that of orchards up to 3 times, that of grape land up to 4 times, and that of other cash crops measured at actual annual output value.		

Table Note 2:

Calculation bases of pasture land compensation

Unit: yuan/mu

Grade Base amount Level	I Excellent/good	II Medium	III Inferior
1	328	262	120
2	262	148	88
3	136	96	63
4	80	69	50

Table Note 3:

Standard of resettlement subsidy

Per capita arable area (mu)	Multiple of average annual output value of the past 3 years
>3.5 mu	4—5
3.0—3.5	6—7
2.5—3.0	8—9
2.0—2.5	10—12
1.5—2.0	13—15
1.0—1.5	16—18
0.5—1.0	19—20
<0.5 mu	30 times of the sum of land compensation fees and resettlement subsidy

Table Note 4:**Standard of compensation fees for urban state-owned land****Unit: yuan/m²**

Entity	Within built-up area	Out of built-up area
Urumqi Municipality	30	20
Karamay, Shihezi, Kuytun, Changji, Bole, Yining, Tacheng, Korla, Altay, Turpan, Hami, Aksu, Artux and Hetian Municipalities	20	10
Other counties (cities)	15	8
Other townships	6	2

Table Note 5:**Compensation rates for timber and commercial forests**

Item / species	Unit	Tree specification (breast diameter, cm)	Compensation rate (yuan)
Broad-leaf forest	/	<5cm	10-15.
	/	5-15cm	15-25
	/	13-30cm	25-35
	/	>30cm	45
Coniferous forest	/	<5cm	20-30
	/	5-15cm	30-50
	/	13-30cm	50-70
	/	>30cm	90
Fruit tree	/	<5cm	20-40
	/	5-15cm	40-60
	/	13-30cm	60-100
	/	>30cm	120
Grape	/	Not bearing fruit below 3 years	30-70
	/	Bearing fruit above 3 years	70-110
Note: The forest compensation fees of Zhengbo Reserve are higher by 50%.			

Table Note 6:**Compensation rates for scrub forests**

Close canopy (%)	Rate (yuan/mu)
20—40	300
40—60	500
>60	600

Table Note 7:**Table 1.7 Rates of management fees for temporary land uses**

Nature of land	Land type and area	Rate	Remarks
Land for infrastructure construction projects, such as energy, traffic, water resources, communication and investigation		20 yuan/year*mu	Any period less than one year shall be counted as one year, and more than one year but less than two years as two years.
Operating temporary land uses	Within built-up area	1-2 yuan/month*m ²	
	Out of built-up area	0.1-0.5 yuan/month*m ²	
Other temporary land uses	Within built-up area	0.3-0.5 yuan/month*m ²	
	Out of built-up area	0.1-0.3 yuan/month*m ²	

Appendix 2 Resettlement Information Booklet (RIB)

(Name of affected person)

In order to relieve traffic congestion, and improve road safety and the county town's ecological environment and overall image, BCG (executing agency) plans to use part of an ADB loan to implement a municipal infrastructure and environmental improvement project in Burqin County, which is a subproject of the ADB-financed Xinjiang Municipal Infrastructure and Environmental Improvement Project.

The Project will affect your family (entity) to some extent. This booklet is provided to you so that you understand the basic information of the Project, state policies on land acquisition, house demolition and resettlement, and possible impacts on you.

I. Composition of the Project

The implementing agency of the Project is BCCB. The Project involves:

1. Road and supporting facilities construction: This component consists of road construction in the Burqin County town and EDZ, and supporting facilities, and involves reconstruction, expansion and construction of 14 roads in the county town, with a total length of 19,396.85m, including 6 primary roads of 6,146.9m, 7 secondary roads of 6,731.08m and a branch road of 6,518.87m, together with lighting, landscaping and traffic marking facilities, and maintenance equipment.

2. Water supply: Construction of a water source, a water distribution network of 34.8km (including two segments, from the water source to the water purifying plant, and from the water purifying plant to the county town water distribution network) and a 9,000m³/d water purifying plant

3. Sewage treatment: Construction of sewer lines with a total length of 11,470m, in which DN300 is 5,660m long, DN400 745m long, DN500 440m long, DN600 1,625m long and the pressure flow line d300PE 3,000m long; 196 drainage manholes and a sewage lifting pumping station; construction of a 6,000m³/d sewage treatment plant

4. Refuse disposal: construction of a 38t/d refuse disposal plant and operating equipment, 20 refuse collection points, 303 ashbins, 10KV power lines of 0.3km and an access road of 0.95km

II. Impacts of the Project

The road construction and refuse disposal components of the Project will involve land acquisition and house demolition; the water supply and sewage treatment components will involve permanent acquisition and temporary occupation of collective land, state-owned barren woodland and state-owned roads.

Urban road construction will affect 2 communities of Burqin County, affecting 24 households with 70 persons, with a demolition of 3,608.07m². An enterprise and a commercial store will also be affected by urban road construction, with a demolition area of 1,510 m² and 120 m², and an affected population of 30 and 2 respectively. Land acquisition for EDZ road construction will affect 15 households with 49 persons in Halagou Village, and 101.55 mu of pasture land (Class 3, Grade 1) will be acquired. Land acquisition for refuse disposal will affect 18 households with 76 persons in Halagou and Hatai Villages directly, and 90.23 mu of pasture land (Class 3, Grade 1) will be acquired. Water supply will affect one household with 6 persons in Sartlic Village, and 16.65 mu of pasture land (Class 2, Grade 4) will be acquired. Sewage treatment will affect one household with 3 persons in Hatai Village, and 72.08 mu of pasture land (Class 3, Grade 1) will be acquired.

In addition, the water distribution network of the water supply component will occupy 171.2 mu of collective pasture land in Irtysh, Sartlic and Talahar Villages, affecting 83 households with 247 persons indirectly, and will occupy 142 mu of state-owned barren woodland temporarily. Water distribution network laying will involve excavation of urban state-owned roads and green belts, and occupy 34.29 mu of land temporarily; sewer network

laying will involve excavation of urban state-owned roads, and occupy 74.28 mu of land and 14.49 mu of collective pasture land temporarily, and affecting one household with 3 persons indirectly (this household is affected by both permanent land acquisition and temporary land occupation).

III. Compensation rates

(1) Compensation rates for permanent acquisition of pasture land

As for grassland compensation standard, Xinjiang Uygur Autonomous Region Development and Reform Commission, Ministry of Finance issued [2010] 2679 document Notice on Adjusting Charge Standard of Compensation and Resettlement Fees in Grassland, a new charge standard will be implemented based on it.

Compensation standard in grassland shall be 6-10 times of average annual output value of three years of the grassland prior to the requisition; as for resettlement subsidy standard, similarly, shall be 4-6 times of average annual output value of three years of the grassland prior to the requisition, and shall not exceed 15 times of that to the maximum. Abovementioned grassland compensation fee and resettlement fees shall not exceed 30 times of the average annual output value three years of the grassland prior to the requisition.

③ Administration departments in Xinjiang Uygur Autonomous Region, along with departments in charge of price and finance issue, should further improve periodic evaluation and adjustment mechanism on grassland value, to regularly assess the value of grassland and determine the compensation base of grassland. The mechanism shall be promulgated and implemented after getting the approval from government of Xinjiang Uygur Autonomous Region.

Requisition standard of all the grassland in this project will be in accordance with [2010] 2679 document Notice on Adjusting Charge Standard of Compensation and Resettlement Fees in Grassland.

(2) Compensation rates for residential houses

Table 2.1 Compensation rates for urban residential houses

Category	Item	Unit	Rate	Remarks
Residential house	House compensation			
	Masonry concrete	yuan/m ²	1180	
	Masonry timber	yuan/m ²	980	
	Earth timber	yuan/m ²	880	
	Simple structure	yuan/m ²	400	
	Land compensation			
	Leasing fees of state-owned land		Tier-3 areas: 176 yuan/m ²	
The following subsidies are provided for the affected households all of whose houses are demolished:				
Other compensation	Moving subsidy	yuan/household	800	For vulnerable groups, they will get additional 500 yuan subsidy
	Transition subsidy (storied buildings)	yuan/month/household	500	The transition period will be calculated from the date of displacement to the date of move-back; a reasonable transition period is 6 months; compensation will continue beyond 6 months.

Category	Item	Unit	Rate	Remarks
	TV displacement fee	yuan/ household	108	
	Reward	%	1.5	1.5% of house compensation fees

(3) Compensation rates for premises of commercial stores

The compensation rates for premises of commercial stores involved in the Project are appraised pursuant on policies and by reference to location, as shown in Table 3.

Table 2.2 Compensation rates for commercial stores

Category	Item	Unit	Rate	Remarks
House	House compensation			
	Masonry concrete structure	yuan/m ²	2100	
	Land compensation			
	Leasing fees of state-owned land	Tier-3 areas: 298 yuan/m ²		
Other compensation	Moving subsidy	yuan/ household	2000	
	Transition subsidy	yuan/ household /month	1500	The transition period will be calculated from the date of displacement to the date of move-back; a reasonable transition period is 6 months; compensation will continue beyond 6 months.

(4) Compensation rates for demolition of premises of enterprises and institutions

The compensation rates for demolition of premises of enterprises are shown in Table 4. If losses are incurred due to suspension of production, a certain amount of compensation will be paid based on mutual consultation during project implementation.

Table2.3 Compensation rates for business premises

Category	Item	Unit	Rate	Remarks
House	House compensation			
	Masonry concrete structure	yuan/m ²	1080	
	Masonry timber structure	yuan/m ²	880	
	Earth timber structure	yuan/m ²	780	
	Simple structure	yuan/m ²	400	
	Land compensation			
	Land compensation fees	yuan/m ²		Tier-3 areas: 96 yuan/m ²
Other compensation	Moving subsidy	3,000 yuan		
	Transition subsidy	4,000 yuan		

(5) Attachments

Table2.4-Compensation rates for affected attachments and special facilities

Item	Unit	Qty.
Big tree (non-fruit)	/	15
Small tree (non-fruit)	/	9
Tree (usable as timber)	/	15
Fruit tree (usable as timber)	/	20
Fruit tree (small sapling)	/	20
Pressure well	/	5

IV. Resettlement

The households affected by house demolition may select the resettlement mode of cash compensation or property swap. After receiving the compensation for house demolition, the displaced persons may select either resettlement mode based on their affordability or personal needs, namely cash compensation, buying commercial housing or exchanging for resettlement housing.

In this mode, a real estate appraisal agency will appraise a house and determine its appraised price based on its location, structure, building area, floor and decoration, and by reference to the displaced person's opinion; if the displaced person agrees with property swap, an area ratio of 1:1.2 will apply, and a decoration fee of 10,000-25,000 yuan will be paid depending on the decoration level of the house.

The resettlement community is located on Wolongwan Road West, Burqin County, convenient in traffic and close to Burqin Tourist Guesthouse. There is a green space, a leisure square and a music fountain nearby. This community is less than 10 minutes' walk from the No.3 Primary School, county hospital and electric power company, and will have great potential of appreciation. The resettlement building has a total building area of 4,944.30m², a floor area of 840.70 m² and an overall height of 18.75m. There are two layouts (2 bedrooms and 2 living rooms, and 3 bedrooms and 2 living rooms), and 6 sizes (74 m², 79 m², 87 m², 95 m², 104 m² and 113m²).

V. Rights and obligations of the affected people

(1) Rights of the affected people

You will receive compensation according to the above compensation rates. You may express your opinions and suggestions to the county government, your township government, community/village committee, HDMO or PMO about compensation amount, compensation rates, time of payment and selection of rebuilding site, etc. The HDMO must respond to any received appeal or inquiry within 7 days.

There are 5 options of appeal in Burqin County:

1. Village/community committee;
2. Township government/urban district office;
3. BCLRB/HDMO;
4. County PMO/county government; and
5. Legal proceedings

In order that the affected people can feed back their grievances timely, contacts have been appointed for different appeal accepting agencies and their contact information disclosed.

Head of Meilifeng Community Committee: Wang Zhenping

Tel: 0906-6525330

Head of Youyifeng Community Committee: Feng Hua

Tel: 0906-6526005

Head of Halagou Village Committee: Harhen

Tel: 13899427853

Head of Hatai Village Committee: Karhen	Tel: 13809968938
Head of Sartlic Village Committee: Tarihati	Tel: 15809064908
Head of BCG: Zhang Dongmei	Tel: 0906-6522029
Head of BCLRB: He Panjiang	Tel: 0906-6522035
Head of HDMO: Wen Guohua	Tel: 0906-6524001
Head of County PMO: Yu Guangpu	Tel: 0906-6523938
Head of county appeal authority: Mayila	Tel: 0906-6522150
Head of county disciplinary inspection authority: Ma Ding	Tel: 0906-6522040
Head of county legal affairs authority: Liu Guoting	Tel: 0906-6523937

(2) Obligations of the affected people:

1. Cooperating in the implementation of this national project actively;
2. A new storied building shall not be built within the defined range of house demolition, otherwise compensation fees will be withheld;
3. All buildings within the boundary line (red or blue line, being the outer boundary line of road or river width) will be demolished.

Appendix 3 Minutes of Public Participation and Interview

Minutes 1	
Time	2010-3-12
Venue	BCCB
Attendees	BCCB, County Environmental Protection Bureau, County Forestry Bureau, County Tourist Bureau, County Development and Reform Commission, BCLRB RP preparation agency
Key points	<p>1. The households affected by house demolition may select the resettlement mode of cash compensation or property swap. For some affected households that select cash compensation, livelihoods will not be affected by the Project. Affected households with all houses demolished will be compensated according to the compensation rates. The replacement costs for demolition of urban and rural houses are the same. For urban houses, state-owned land will be compensated for; for rural houses, the compensation for housing sites will be included.</p> <p>2. According to the survey of the households affected by land acquisition, they expect timely cash compensation. In addition, during project construction, the implementing agency will take some measures to support the displaced persons, including:</p> <ol style="list-style-type: none"> Making job opportunities available first to the displaced persons to generate cash income; During production restoration, it will give technical training on cash crop cultivation and stockbreeding, etc. to the affected people, and invite technicians of the stockbreeding, and labor and social security authorities to give stockbreeding training to herdsmen, so that each affected household receives training on stockbreeding and nonagricultural production skills at least once. These measures will improve stockbreeding skills, improve the affected people's income, and restore their livelihoods. <p>3. Resettlement of vulnerable groups: They may choose property swap or cash compensation. Based on consultation, they prefer property swap, because they have a large living space, and can exchange it for a smaller house and use the surplus for livelihood improvement or other purposes. According to the policy of Burqin County on house demolition, special households (e.g., with an old or displaced person) can have priority in selecting a lower-floor house for convenience.</p> <p>4. Resettlement of commercial stores: It may exchange the store for a shop front in the county town or use the compensation to buy or rent a shop front nearby to carry on his business. The store owner will be notified before demolition, so that he has sufficient time to rent a suitable shop front. The moving and transition subsidies for the store will be paid to the lessee to cover the loss from suspension of business, and the house compensation fees will be paid to the store owner, who will return the unrealized rent to the lessee according to the lease contract.</p> <p>5. Resettlement of the affected enterprise Taiyun Group Burqin Branch: It will move into the east part of the county town, east of National Highway 217 by land replacement. The east part is a single-storied building area, where the main water supply network has been laid and other infrastructure is being improved. The government will notify the enterprise in advance so that it has sufficient time for business adjustment. The enterprise will be compensated for all affected objects according to the compensation rates, and the loss from suspension of business will be finally appraised by a specialized appraisal agency during implementation in order to minimize such loss.</p> <p>6. For affected ground structures or attachments, the affected people or collectives will be compensated in cash directly.</p> <p>7. Other costs: Contingencies, house demolition management fees, house demolition service fees and site clearing fees may be incurred during land acquisition and house demolition.</p> <p>Attitude toward the Project:</p> <ul style="list-style-type: none"> All authorities support the Project and the work of the RP preparation agency. Reasonable compensation should be paid for the demolished houses. An appraisal firm should be invited. Since residents are displaced for public benefits, they should be taken care of properly.



Interview Record 1	
Time	2010-5-11
Venue	Kaletale Village Sartlic Village Irtysk Village
Attendees	Liu Kai, Ma Jian, County PMO 8 representatives of herdsmen affected by temporary land occupation, including 3 men and 5 women, all being Kazakhs TA team resettlement experts and RP preparation agency
Key points	<p>All affected herdsmen rely on stockbreeding as the main source of income, and few of them work outside.</p> <p>Representatives of herdsmen from Kaletale Village: Ashantai, male, householder, Kazakh, 63 years, primary school education, dealing mainly with stockbreeding, living in a 3-member family His wife Gulinisha, 60 years, primary school education, dealing mainly with stockbreeding, earning 35,000 yuan annually He son, 25 years, junior high school education Since I and my wife are old and inactive, my son stays at home to take care of them. I and my family support this project very much.</p> <p>Representatives of herdsmen from Sartlic Village: Re'ahai, male, householder, Kazakh, 71 years, primary school education, dealing mainly with stockbreeding, living in a 3-member family His wife Bayan, 69 years, primary school education, dealing mainly with stockbreeding The whole family lives on stockbreeding, earning about 25,000 yuan annually His son Talidao, 16 years, attending senior high school I expect reasonable compensation so that my son can enter a good university for better education.</p> <p>Representatives of herdsmen from Irtysk Village: Aterhan, male, householder, Kazakh, 72 years, primary school education, dealing mainly with stockbreeding, living in a 4-member family His son Harhan, 34 years, senior high school education, dealing with stockbreeding together with his daughter-in-law The whole family lives on stockbreeding, earning about 41,000 yuan annually. I and my family support this project very much. I wish my son to receive computer skills training in this project and my daughter-in-law to receive handicraft training. I expect them to be involved in this project and learn skills to increase income.</p> <p>Attitude toward the Project:</p> <ol style="list-style-type: none"> (1) All herdsmen affected by temporary land occupation support the Project. (2) Infrastructure should be protected properly during temporary occupation of pasture land. (3) Reasonable compensation is expected for the temporarily occupied pasture land. After pipe network laying, the excavated pipe trenches should be filled and sprayed with water to restore the vegetation gradually.

	(4) During project construction, these households expect to participate and receive skills training.
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Interview Record 2	
Time	2010-5-11
Venue	Halagou Village
Attendees	Liu Kai, Ma Jian, County PMO 15 representatives of herdsmen affected by land acquisition, including 8 men and 7 women, all being Kazakhs TA team resettlement experts and RP preparation agency
Key points	<p>All herdsmen in Halagou Village live on stockbreeding.</p> <p>Dalielihan, male, Kazakh, 49 years, junior high school education, dealing mainly with stockbreeding His wife Ayiguli, Kazakh, 47 years, junior high school education, dealing mainly with stockbreeding He has two sons, who have been helping at home after graduation from junior high school. All household income is from stockbreeding, about 24,000 yuan per annum. 6.77 mu of pasture land will be acquired, which will have little impact on household income. He expects both sons to participate in project construction and learn some skills.</p> <p>Ma Hezan, male, Kazakh, 37 years, junior high school education, dealing mainly with stockbreeding His wife Kuliash, Kazakh, 33 years, junior high school education, dealing mainly with stockbreeding, living in a 4-member family His son and daughter are attending primary school. 6.77 mu of pasture land will be acquired due to road construction, which will have little impact on this family. He expects to do small business nearby for livelihood improvement after receiving compensation fees.</p> <p>Arhenbiek, male, Kazakh, 35 years, junior high school education, dealing mainly with stockbreeding His wife Ayiguli, Kazakh, 30 years, junior high school education, dealing mainly with stockbreeding, living in a 3-member family His daughter, 10 years, attending primary school 6.77 mu of pasture land will be acquired. He expects to buy a truck for sheep flock transfer or for rent after receiving compensation fees.</p> <p>Attitude toward the Project: The 15 affected households support the Project highly; the amount of pasture land acquired is very small, and has little impact on them. After receiving the compensation, some herdsmen wish to buy a truck for sheep flock transfer or for rent; some wish to increase income by buying fine breeds and further developing stockbreeding; some others wish to do small business nearby to improve livelihoods or send their children to better schools to receive better education.</p>

Interview Record 3	
Time	2010-5-12
Venue	Hatai Village
Attendees	Ma Jian, County PMO 13 representatives of villagers affected by land acquisition, including 6 men and 7 women, all being Kazakhs TA team resettlement experts and RP preparation agency
Key points	<p>Bildlihan Zubaihan, male, Kazakh, 38 years, junior high school education, dealing mainly with stockbreeding His wife Guzyila, Kazakh, 33 years, junior high school education, dealing mainly with stockbreeding, earning about 38,000 yuan annually, living in a 5-member family His eldest daughter, 12 years, primary school education, dealing mainly with stockbreeding His second daughter, 8 years, attending school His youngest daughter, 1 year 5.02 mu of pasture land will be acquired. He expects reasonable compensation for the</p>

	<p>acquired pasture land. The whole family supports the project, because they think the sewage treatment plant and refuse disposal plant will improve the living environment.</p> <p>Axiati, male, Kazakh, 60 years, junior high school education, dealing mainly with stockbreeding</p> <p>His wife Ayiguli, Kazakh, 59 years, junior high school education, dealing mainly with stockbreeding, earning about 25,000 yuan annually, living in a 5-member family</p> <p>His son and two daughters have not been married. 5.01 mu of pasture land will be acquired for the refuse disposal component. He expects that the refuse disposal plant to be fenced after completion, because he lives nearby and the fencing can prevent livestock from eating refuse and being poisoned. Refuse should be cleaned up or buried on a daily basis.</p> <p>Nurbahet, male, Kazakh, 41 years, junior high school education, dealing mainly with stockbreeding, living in a 7-member family</p> <p>His younger brother Talapbiek, 24 years, junior high school education</p> <p>His mother, 62 years, primary school education</p> <p>All of them live together with him. His father is dead, and he has a son and two daughters. The main source of household income is stockbreeding, about 14,000 yuan per annum. 5.01 mu of pasture land will be acquired for the refuse disposal component. If he could find a job in the project, he would use the money earned to do small business or retailing in order to improve the family's standard of living.</p>
	<p>Attitude toward and suggestions for the Project:</p> <ol style="list-style-type: none"> 1. All herdsmen support the Project completely by thinking that the sewage treatment plant and refuse disposal plant will improve the living environment. 2. The acquired pasture land should be compensated for reasonably. 3. The refuse disposal plant should be fenced after completion, because the fencing can prevent livestock from eating refuse and being poisoned. 4. Refuse should be cleaned up or buried on a daily basis, especially in summer when infectious diseases are likely to occur.

Interview Record 4	
Time	2010-5-13
Venue	Baihuayuan Road
Attendees	<p>Li Hongyan, BCCB</p> <p>Representatives of persons affected by house demolition (vulnerable groups)</p> <p>TA team resettlement experts and RP preparation agency</p>
Key points	<p>Yang Dianhua, living on Baihuayuan Road, 76 years, primary school education, is a female householder whose husband is dead. She lives on a MLS benefit of 200 yuan/month mainly, and leads a hard life. She will be affected by road construction, and demolition area will be 277.08m². It is learned that the old person expects timely and reasonable compensation. If resettlement housing is offered, she expects the government to provide policy assistance. She supports the Project highly, because road construction is a project for people's well-being, and is beneficial to all people around.</p> <p>Wang Yuying lives in Meilifeng Community, Baihuayuan Road, and her husband is dead. The old person lives on house rent and MLS benefit. She will be affected by road construction, and demolition area will be 124.82m². It is learned that she expects fair, reasonable and timely compensation. The resettlement housing should be preferably close to her former residence, so that her son can visit her conveniently; since she is elderly, she expects a lower floor and some living assistance. In case of cash compensation, she would move to her son's house to take care of her grandchild. She supports road construction, because the old road is uneven and often muddy, and the new road will make it more convenient to go out.</p> <p>Xue Xiu'e is 72 years old. Her husband is dead, and two sons and one daughter have been married. She lives mainly on house rent. She will be affected by road construction, and demolition area will be 133.18m².</p> <p>It is learned that she can accept either property swap or cash compensation. If resettlement housing is offered, she expects a lower floor, because she is elderly. In case of cash compensation, she would move to a son's house and give the compensation to the son to do business or deal with transport in order to improve standard of living. She thinks road</p>

	construction is a good thing, because the old road is inconvenient for old people like her.
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Interview Record 5	
Time	2010-5-13
Venue	Baihuayuan Road
Attendees	County PMO: Ma Jian Owner of affected commercial store: Zhang Zhigang TA team resettlement experts and RP preparation agency
Key points	<p>Baishun Store will be relocated due to road construction. This store is located on Baihuayuan Road in the Burqin County town, and is running well. The annual net revenue of the store is 20,000 yuan; the other two rooms are rented at 3,600 yuan/year; the garage is rented at 3,000 yuan/year. Due to road construction, this commercial store and other attachments will be demolished.</p> <p>Attitude toward the Project:</p> <ol style="list-style-type: none"> 1. The demolished premises should be compensated for reasonably. 2. The store owner expects to exchange the store for a shop front in the Burqin County town. 3. He supports the Project very much by thinking that road construction will bring a greater traffic and pedestrian flow, and thereby promote his business. For the safety hazard arising from increased traffic flow, he suggests that visible signs should be set up on the sidewalks, and a deceleration strip be provided near schools and residential areas. 4. He expects the Project to be implemented as soon as possible so as to benefit from it earlier.



Interview Record 6	
Time	2010-5-13
Venue	Baihuayuan Road Taiyun Group Burqin Branch
Attendees	County PMO Li Lesheng, head of Taiyun Group Burqin Branch TA team resettlement experts and RP preparation agency
Key points	<p>The affected enterprise is Taiyun Group Burqin Branch, which is a private enterprise specializing in automobile repair and driver training. It has a regular workforce of 40 and 27 casual workers. Its training ground in the east courtyard will be affected by the Project only.</p> <p>Attitude toward the Project and willingness to resettle:</p> <ol style="list-style-type: none"> 1. He supports the Project, because road construction will benefit most people. 2. He suggests that the impact on the enterprise's business operation be reduced during project construction.

Appendix 4 Information on houses to be demolished

Component	Community	Householder	Former house area										Area of demolished house										
			Main rooms (m ²)				Side rooms (m ²)				Simple rooms (m ²)		Main rooms (m ²)				Side rooms (m ²)				Simple rooms (m ²)		
			Masonry concrete	Masonry timber	Earth timber	Misc.	Masonry concrete	Masonry timber	Earth timber	Misc.	Iron sheet	Masonry timber	Earth timber	Masonry concrete	Masonry timber	Earth timber	Misc.	Masonry concrete	Masonry timber	Earth timber	Misc.	Iron sheet	Masonry timber
Road construction	Youyifeng	Wang Yuhua			98.34							23.1			98.34								23.1
Ditto	Youyifeng	Qu Zhencai			76.5							14			76.5								14
Ditto	Youyifeng	Wang Yucheng			68.16				25.28			16.45			68.16				25.28				16.45
Ditto	Youyifeng	Zhou Xiangduan			56				28						56				28				
Ditto	Youyifeng	Abuliz			139.3							12.25			139.3								12.25
Ditto	Youyifeng	Zaipuk Hakuli			137.7				225.24						137.7				225.24				
Ditto	Youyifeng	Watihan			100.5							12			100.5								12
Ditto	Youyifeng	Ma Zhonghua			70.5				31.82						70.5				31.82				
Ditto	Youyifeng	Yang Taikang		60								20		60									20
Ditto	Meilifeng	Yang Dianhua			85.5			92	94.08		5.5				85.5			92	94.08		5.5		
Ditto	Meilifeng	Guo Xiaoyang		77.52				46.8						77.52				46.8					
Ditto	Meilifeng	Wang Xiuhua			96			97.58			10				96			97.58			10		
Ditto	Meilifeng	Guo Xiaoling			81.43				69.9						81.43				69.9				
Ditto	Meilifeng	Zhao Meilan			96			112				14			96			112					14
Ditto	Meilifeng	Wan Yubin			85.5				94.08						85.5				94.08				
Ditto	Meilifeng	Xue Xiu'e			66.23				66.95						66.23				66.95				
Ditto	Meilifeng	Jiang Ming		77.52				44.4						77.52				44.4					
Ditto	Meilifeng	Wang Haiyun		42.52				47.3						42.52				47.3					
Ditto	Meilifeng	Wang Yuying		77.52				47.3						77.52				47.3					
Ditto	Meilifeng	Ma Bingli		35				49.3						35				49.3					
Ditto	Meilifeng	Guo Zhengxian		65.5				69.82						65.5				69.82					

Ditto	Meilifeng	Jin Xiaoming			86.58		78.2								86.58		78.2							
Ditto	Meilifeng	Li Yong			92.4			78.3							92.4			78.3						
Ditto	Meilifeng	Zhang Zhigang						155.2	55									155.2	55					

Appendix 5 Terms of Reference of External Monitoring and Evaluation

1. Objective

The objective of external M&D is:

To analyze variations of the standard of living of the affected people, and submit reports to ADB, the executing agency and competent authorities by conducting independent M&E of resettlement activities, and monitoring and tracking resettlement progress, funding and management according to ADB's Resettlement Handbook and Social Analysis Guidelines, so that they can learn the progress of resettlement and ensure that existing issues and suggestions are addressed consistently

2. M&E tasks

The M&E tasks are as follows:

Progress of Land acquisition and house demolition:

- Progress of land acquisition;
- Progress of temporary land occupation;
- Progress of project impact

Progress of resettlement:

- Progress of and compensation for house demolition;
- Progress of house construction of displaced persons;
- Progress of relocation

Progress of fund availability and payment:

- Payment of funds;
- Expenditure (budgetary vs. actual);

Standard of living of the affected people, including: standards of living before and after resettlement;

- Employment before and after resettlement

Compensation for, restoration and rebuilding of public facilities

The affected people's participation in resettlement (RP) preparation, land acquisition, house demolition, resettlement and income restoration

Grievance redress mechanism and efficiency

Collection of monitoring data and establishment of database

Comparative analysis

Submission of report

3. Technical procedures

Preparing terms of reference, questionnaires, random sampling plan, baseline survey, establishing information management system, supervision and inspection, establishing data files, comparative analysis, conducting evaluation, preparing evaluation report, final inspection and making a conclusion

4. Independent monitoring agency

An independent monitoring agency will be employed to monitor the resettlement work conducted by the County PMO or implementing agency.

The County PMO will provide assistance to the external monitoring agency, especially in field investigation, resettlement and logistic services.

5. M&E methods

The field observation, analysis and overall evaluation methods will be combined.

Comprehensive field investigation and random sampling inspection of progress, funding, organization and management

Sampling 20% of the households affected by house demolition for follow-up

Comprehensive interview, and meeting and document review

Collecting photos, tapes and real objects in addition to written documents

6. M&E arrangements

Table 5.1 M&E arrangements

Mar. 2011	Preparing a monitoring plan, including terms of reference, tables, monitoring system and sample selection
Dec. 2011	Baseline survey, 1 st visit, submission of Monitoring Report No.1
Jun. 2012	2 nd visit, submission of Monitoring Report No.2
Dec. 2012	3 rd visit, submission of Monitoring Report No.3
Jun. 2013	4 th visit, submission of Monitoring Report No.4
Dec. 2013	5 th visit, submission of Monitoring Report No.5
Sep. 2014	Submission of final report