

Social Monitoring Report

Annual Report
April 2021

People's Republic of China: Guizhou Gui'an New District New Urbanization Smart Transport System Development Project

Prepared by the Project Management Office for the Asian Development Bank.

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Loan 3807-PRC: Guizhou Gui'an New District New
Urbanization Smart Transport System Development
Project

Resettlement Monitoring Report

(No.1)

Reporting Period: February 2020 to December 2020

PMO of the Guizhou Gui'an New District New
Urbanization Smart Transport System Development
Project

April 2021

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ABBREVIATIONS

ACWF	-	All China Women's Federation
ADB	-	Asian Development Bank
AH	-	Affected Household
AP	-	Affected Person
HD	-	House Demolition
LA	-	Land Acquisition
M&E	-	Monitoring and evaluation
PMO	-	Project Management Office
LEF	-	Land-expropriated Farmers
MOF	-	Ministry of Finance
NDRC	-	National Development and Reform Commission
PMO	-	Project Management Office
PPMS	-	Project Performance Monitoring System
RP	-	Resettlement Plan
SGAP	-	Social and Gender Action Plan

Units

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

1 Background of the Project

1.1 Introduction to the Project

In the western region of the People's Republic of China (PRC), economic growth has been slower than in the coastal provinces and there are many parts of the region that still have relatively low urbanization and infrastructure development. Guizhou is in the southwest PRC and has a population of 35 million, most of which is rural and 36.1% of whom are ethnic minorities. Guizhou has one of the lowest gross domestic products (GDP) per capita in the PRC at CNY 33,246, which is 67.4% of the PRC average. The rural poverty ratio in Guizhou (18.0%) is much higher than the national rate (7.2%). Increased urbanization, better infrastructure, and improved connectivity to markets, employment opportunities, and social services can reduce the high incidence of poverty in Guizhou and surrounding regions.

The impact of the project will be increased economic activity in the Gui'an Direct Administrative District (GDAD). The outcome will be efficiency of the GDAD transport system increased. The Project has three outputs.

Output 1: Intelligent transport system designed and installed. To provide an integrated solution to address the potential traffic management, safety and infrastructure capacity issues, the project team proposes a comprehensive ITS suite: (i) developing of a real-time traffic and road-weather monitoring system; (ii) setting up a big data service center;¹ (iii) creating a multi-modal transportation systems management and operations center; and (iv) establishing of an integrated traffic operations, and security and emergency management system.

Output 2: Sustainable Transport Infrastructure Built. To promote maximum public transportation use in new urban development, the transport system must be flexible and enable users to switch safely and seamlessly between modes, including walking, cycling, buses, trains, and cars:

- (i) build 20 bus stations, including six hub stations, 11 terminal stations, and three bus depots—this infrastructure will work together with ITS elements to optimize infrastructure and overall urban mobility.
- (ii) Purchase 200 clean energy buses to increase the bus route coverage in Gui'an and reduce emissions from public transport services;
- (iii) Build a regional network of 21 electric charging stations for both private and public vehicles to encourage green vehicles and reduce emissions;
- (iv) Construct a network of about 8.16 kilometers of new urban roads in the core are of the GDAD as part of the transport network backbone—these roads will provide access to key existing north-south and east-west trunk roads and will be equipped with ITS equipment; and
- (v) Set up an intelligent connected vehicle system (ICVS) demonstration zone for research and development of ICVS and associated technologies, including the application of information technology in the transport infrastructure, auxiliary equipment, and data center platform in the designated area.²

¹ The operations center will be set up in an existing office building, not involving civil works.

² The ICVS demonstration zone design will follow the *Administrative Measures of Road Test for Intelligent Connected Vehicles* (for trial implementation) jointly issued by the Ministry of Industry and Information Technology, the Ministry of Public Security and the Ministry of Transport on 12 April 2018.

Output 3: Smart transport capacity strengthened. The Project will provide capacity strengthening activities to ensure a relevant and up-to-date ITS and consider clean transport technology at the design, implementation, and operation phases. The capacity of the Government of Gui'an New District's (GGAND) will be strengthened by applying communication and stakeholder engagement approaches. This will ensure that the ITS and infrastructure design and services are inclusive, gender-responsive, safe and sustainable, and that transport users are motivated through behavior change communication campaigns to choose green transport modes. The project will provide consulting services for supervision and project management, including human-centered design and knowledge transfer related to the ICVS demonstration zone.

The project was approved by ADB on 16 August 2019 and signed on 04 December 2019. The effectivity date of the project was on 24 February 2020 and the expected closing date is on 30 June 2026

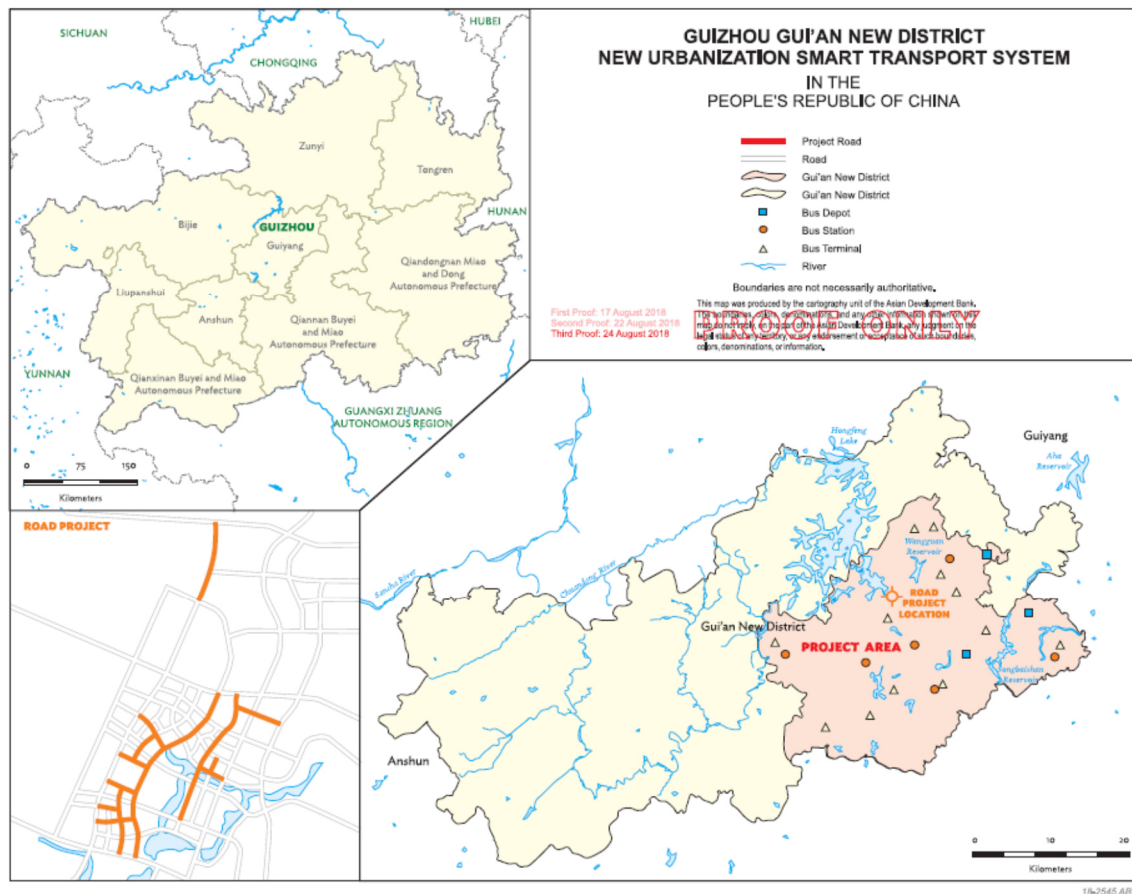


Figure 1-1 Project Area and Location in the PRC

1.2 Summary of Resettlement

According to the resettlement plan approved in 2019 that was prepared based on the Feasibility Study Report, the Project only involves land acquisition and does not involve

any house demolition. The collective land acquisition is mainly caused by 15 of 20 new bus stations and 3 of 21 vehicle charging stations. In addition, 59.64mu state-owned land will be occupied by the other 18 vehicle charging stations.

The Project is a Category B project in terms of involuntary resettlement and has insignificant resettlement impacts.

In general, the Project will acquire 216.61 mu of rural collective land (including 209.41 mu of cultivated land and 7.2 mu of woodland) acquisition because of the construction of bus stations and charging stations. Newly land acquisition will affect 13 villages in 4 townships in Gui'an, which are Machang Town (Chuanxin, Ganhe, Kaizhang, Liuji, Longshan Villages), Dangwu Town (Dangwu, Wenggang, and Maocao Villages), Huchao Xiang (Xiaba, Qishan, Yuanfang and Malu Villages), and Gaofeng Town (Dalege Village). The Project will not involve house demolition. See Table 1-1.

Table 1-1 Summary of Land Acquisition Impacts

Component	Sub-component	Area(mu)	HHs	Population		
				Total	Female	Ethnic people
Bus Infrastructure Construction	Hub stations	33.45	35	156	74	12
	Terminal stations	23.72	33	211	102	36
	Depots	150.46	38	279	136	21
Subtotal		207.63	150	646	312	59
Charging Stations	Self-constructed	8.98	11	51	24	0
Subtotal		8.98	11	51	24	0
TOTAL		216.61	161	697	336	128

Source: RP (2019)

1.3 Report Period and Data Source

The period of this report is from February 2020 to December 2020. As the external monitor was not recruited yet by the end of January 2021, this report was prepared by the Gui'an PMO with the support of the project implementation consultants, and all data was provided by the IAs.

1.4 Methodologies

The following methods were used for this report, which are:

- Literature review— reviewing relevant documents, local policies and statistics related to LAR to understand the socioeconomic profile, resettlement impacts and resettlement policies of the project area;
- Interview—interviewing PMO staff, related town government staff with focus on the implementation progress of the Project and LAR.

2 Resettlement Progress

2.1 Project Progress Made

To date, the Project was still at early design stage and has not started the physical constructions yet. The PMO and IAs are preparing various documents to gain permits and certificates for the construction, like the site selection opinion, the land use planning permit, the project planning permit, the environment impact assessment approval, the soil and water conservation approval, the forestry land use approval, among others. Works have been undertaken as follows:

Output 1: Intelligent transport system designed and installed. The Gui'an PMO is conducting design and bidding work with the specialists.

Output 2: Sustainable transport infrastructure built. In terms of RP of 2019, the construction of 20 bus stations (six hub stations, 11 terminal stations, and three bus depots) and 21 electric vehicle charging stations will involve land acquisition and resettlement.

- For 20 bus stations, the construction has not started yet. Compared with those in RP of 2019, two bus stations will change the sites, and the others keep the same sites. It was estimated that the updated RP for the 9 stations under CW101, 102, 105, 106 (excluding Machang East Depot) and 107 including the due diligence report for completed LAR to ADB by 30 September 2021 for approval prior to awarding civil works contracts. For the others, the footprints have not been fixed and are expected to be decided no later than June 2022, which will be included in updated RP. See details in Table 2-1.
- Among 21 electric vehicle charging stations, 10 electric vehicle charging stations to be constructed in a cooperation manner do not involve LA or compensation which has been covered by DDR in the draft RP; For other 11 electric vehicle charging stations to be constructed by the project, 7 stations have completed land acquisition which has also been covered by DDR in the draft RP. The design for the remaining 4 electric vehicle charging stations has not finalized, and therefore the RP for them is not updated.

This output also includes 13 new urban roads with a total length of 8.163 km and completed investment of 64.84 million yuan that were financed by domestic counterpart funds. In terms of RP of 2019, these roads will not need any new land acquisition or land occupation, and the preliminary construction works are being carried out according to the domestic project construction procedure.

Output 3: Smart transport capacity strengthened. PMO personnel participated in about 60 training sessions organized by the PMO or ADB on project management, procurement and contract management, financial management, ADB safeguard policy, etc.

Table 2-1 Preparation Works for 15 Stations Which Have Made progress

By December 2020

Contract Package no.	Location		Land Area (m ²)		FSR	Preliminary Design Progress	Land Acquired or Not?	Land allocation Approval or Land Certificated Gained?	Actions for Pending Issues Identified with Timelines?
	RP	Actual	RP	Actual or Impact at Preliminary Design					
CW101	Daxuechennan Station	unchanged	7700	7697.35 (TBD)	Finished	under design	to be acquired	Submitted for approval of LA	URP
	Fukangbei Rd.- Xuanshui Road Station	unchanged	8000	18790.98 (TBD)	Finished	under design	Among land to be used, the LA for 7400 m ² began in mid 2013 for the Western International Intelligence Project and the BAK Battery Project and was completed in 2016. The completed LA has been covered by DDR in Draft RP.	To handle the Land Certificate	URP, to conduct LA for the remaining area
CW102	Yunman Lake Hub	unchanged	10086	9752.4(TBD)	Finished	under design	has been fully acquired for the Yunman Lake Leisure Center. The completed LA has been covered by DDR in Draft RP.	To be done	Land Certificate to be gained, some ground attachments to be compensated and reflected in the URP
	Biguiyuan Hub	TBD	12000	25224.14 (TBD)	Finished	under design	10.8 mu has been acquired for the Heyuan Project (Phase 1). The completed LA has been covered by DDR in Draft RP	To handle the Land Certificate	Remaining 7.2 mu land will be acquired in 2021-2022
CW103	Machang Passenger Station Hub	unchanged	5126	TBD	Finished	To be design	to be acquired	To conduct the LA	URP, to reallocate the site

Contract Package no.	Location		Land Area (m ²)		FSR	Preliminary Design Progress	Land Acquired or Not?	Land allocation Approval or Land Certificated Gained?	Actions for Pending Issues Identified with Timelines?
	RP	Actual	RP	Actual or Impact at Preliminary Design					
CW104	Xing'an Avenue South Terminal	unchanged	2093	TBD	Finished	To be design	to be acquired	To be done	TBD
	Integrated Free Trade Zone	unchanged	2120	TBD	Finished	To be design	has been acquired for the development zone. The completed LA has been covered by DDR in Draft RP.	To handle the Land Certificate	Land Certificate
	High-end Equipment Industrial Park Terminal	unchanged	2513	2513	Finished	To be design	the land for the terminal in FSR has been acquired. But the site might be changed during preliminary design.	TBD	URP or DDR
	Minbo Park Terminal	unchanged	3287	TBD	Finished	To be design	has been acquired for Minbo Park. The completed LA has been covered by DDR in Draft RP.	To handle the Land Certificate	Land Certificate
	Gaofeng High School	unchanged	1200	TBD	Finished	To be design	The Gaofeng High School East Terminal occupies over 1 mu of land, which was bought by the government at 8000 yuan/mu in 2010.	To handle the Land Certificate	Land Certificate
	Machang Town Terminal	unchanged	6173	TBD	Finished	To be design	5.26 mu of which has been acquired for Leima Road. The completed LA has been covered by DDR in Draft RP.	To handle the Land Certificate	Land Certificate
	Dongqing Siya Road Terminal	unchanged	3000	TBD	Finished	To be design	The land for the terminal in FSR has been acquired. The	TBD, the site might be changed during	URP

Contract Package no.	Location		Land Area (m ²)		FSR	Preliminary Design Progress	Land Acquired or Not?	Land allocation Approval or Land Certificated Gained?	Actions for Pending Issues Identified with Timelines?
	RP	Actual	RP	Actual or Impact at Preliminary Design					
							completed LA has been covered by DDR in Draft RP. But the site might be changed during preliminary design.	preliminary design.	
	Gui'an Chuanggu Terminal	unchanged	3393	TBD	Finished	To be design	to be acquired	TBD	URP
	Gaofeng Passenger Station Hub	unchanged	4006	TBD	Finished	To be design	to be acquired	TBD	URP
CW105	University station	unchanged	45520	45478.9	Finished	under design	To be acquired	TBD	URP (some houses are likely to be involved.
CW106	Shuangxi Avenue South	unchanged	2167	2167	Finished	To be design	Acquired. The completed LA has been covered by DDR in Draft RP.	To handle land certificate	land certificate
	Machang East	unchanged	38840	38849.5	Finished	Under design	PMO has no timeline to commence this subproject.	TBD	URP
CW107	Central Station	unchanged	15946	TBD	Finished	To be design	to be acquired	TBD	URP
	Xinghu Community Terminal	Unchanged	2280	2281.68 (TBD)	Finished	To be design	to be acquired	TBD	URP
	Xingyue Community North Terminal	Unchanged	2620	2621.13 (TBD)	Finished	To be design	to be acquired	TBD	URP
Total			178074						

Data source: Gui'an PMO and IAs

2.2 Resettlement Progress

Up to the end of December 2020, the implementation of land acquisition for High-end Equipment Industrial Park Terminal has been carried out from 2019 to 2020. A total of 3.77mu land was acquired according to FSR. But it should be noted that this terminal might be further optimized and changed during preliminary design. If any changes, it will be updated in the URP and closely monitored.

For details, please see Table 2-2.

Table 2-2 LA progress

By December 2020

Component	Sub-component	Resettlement Plan of 2019							Actual Progress (mu)	%
		Description	Township	Village	Area (mu)	Permanent LA Affected population				
						HHs	Population / females			
Sustainable Transport Infrastructure	Hub stations	Machang Passenger Station Hub	Machang Town	Chuanxing	7.69	7	44/21	0	0	
		Fukang North Road – Xuanshui Road Hub	Machang Town	Ganhe, Kaizhang	1	1	4/2	0	0	
	Hub stations	Biguiyuan Hub	Huchao Xiang	Xiaba	7.2 ³	10	37/16	0	0	
		Gaofeng Passenger Station Hub	Gaofeng Town	Dalege	6.01	5	22/12	0	0	
		South College Town Hub	Dangwu Town	Wenggang	11.55	12	49/23	0	0	
	Bus terminals	Machang Town Terminal	Machang Town	Liujiia	4	9	36/17	0	0	
		Minbo Park Terminal	Huchao Xiang	Guangxing	2.5	12	40/17	0	0	
		Gui'an Chuanggu Terminal	Dangwu Town	Wenggang	5.09	9	45/23	0	0	
		Xing'an Avenue South Terminal	Machang Town	Chuanxin	3.14	3	17/7	0	0	
		High-end Equipment Industrial Park Terminal	Dangwu Town	Maocao	3.77	2	12/6	3.77	100	
		Gaofeng High School East Terminal	Gaofeng Town0	Dalege	1.8	9	37/18	0	0	
		Xinghu Community Terminal		Huchao	3.42	7	24/14	0	0	
		College Town	Dangwu	Dangwu	68.28	26	121/56	0	0	
Depots										

³ A total of 18 mu land, among which, 10.2 mu has been requisitioned in 2018. DDR has been covered in the draft RP. Remaining 7.2 mu will be acquired in 2021-2022.

Resettlement Plan of 2019									
Component	Sub-component	Description	Township	Village	Area (mu)	Permanent LA		Actual Progress (mu)	%
						HHs	Population / females		
			Town						
		Central	Huchao Xiang	Malu	23.92	6	30/15	0	0
		Machang East	Machang Town	Longshan	58.26	32	128/65	0	0
	Charging stations	Huantie-Huchao Station	Huchao Xiang	Qishan	3.33	3	8/4	0	0
		West Coast	Huchao Xiang	Yuanfang	3.77	5	24/11	0	0
		High-end Equipment Industry Park	Dangwu Town	Maocao	1.88	3	19/9	0	0
		Total			216.61	161	697/336	3.77	1.74%

Data source: IAS

2.3 RP Updating Progress

Up to the end of December 2020, preliminary design of the Project has not been approved yet. The draft RP has not been updated accordingly.

Since the civil works will be carried out in packages, Gui'an PMO plans to update resettlement plans in terms of implementation plan of civil work packages.

3 Likely Resettlement Impact Changes

Up to December 31, 2020, the locations of 2 Bus terminals (High-end Equipment Industrial Park Terminal and Machang Passenger Station Hub) are likely to be optimized and adjusted during the preliminary design. Once final footprints are fixed and approved, the resettlement impacts will be identified and included in updated RP, and then be closely monitored.

4 Resettlement policies

4.1 New Land Administration Law (2020)

The Land Administration Law amended on August 26, 2019 (effective from January 1, 2020) has unified rural and urban LA and HD practices to a great extent. The new law defines the scope of LA for public interests, strengthens the upfront risk management of LA, and information disclosure and public participation during LA and HD, and requires that an agreement be signed with the landowner and the holder of the land use right before land approval, and that compensation and resettlement funds be arranged in advance. The new law requires that LA compensation rates be based on location-based composite land price, and adjusted or promulgated again at least every 3 years, that fair and reasonable compensation should be granted to those affected by LA, and that “the former living standard of land-expropriated farmers is not reduced”. Accordingly, the new law will protect the rights, interests and livelihoods of affected persons more comprehensively.

The main change between the outdated version and the new version is the land acquisition procedures which will be applied in the Project for those involving land acquisition. The new procedures are as follow:

- If a people’s government at or above the county level is to apply for land acquisition, it shall conduct a current land status survey and a social stability risk assessment, and disclose the range and purpose of land acquisition, current status, compensation rate, resettlement mode, social security, etc. in the township (town), village and village group to collect comments from the affected rural collective economic organization and its members, village committee and other stakeholders.
- If most members of the affected rural collective economic organization think that the land compensation and resettlement program does not conform to the laws and regulations, the people’s government at or above the county level shall organize a public hearing, and modify the program according to the laws, regulations and public hearing.
- Owners or users of the land to be acquired shall, within the time limit specified in the announcement, go through compensation registration on the strength of the real estate ownership certificate. The people’s government at or above the county level shall organize the department concerned to estimate the relevant costs and make them fully available, enter into compensation and resettlement agreements with the owners and users of the land to be acquired.
- The people’s government at or above the county level shall apply for land acquisition only when the preparatory work has been completed.

4.2 New Land Acquisition Compensation Policy in Guizhou Province

In 2020, Guizhou Province issued a new land acquisition policy. Following that, Guiyang City, the capital of Guizhou Province, issued a notice to announce the implementation of the "Comprehensive Land Price Standards for Requisitioned Areas in Gui'an New District". The new Notice of Guizhou Provincial People’s Government on Compensation will be executed since December 1, 2020, which is higher than those in the draft RP. The differences are listed in Table 4-1.

Table 4-1 New Land Acquisition Compensation Rates for LA Related Towns

Unit: Yuan/mu

District/county	Compensation Standards for cultivated land (land compensation fee +resettlement subsidy) in RP	New Compensation Standards for cultivated land (land compensation fee-40% +resettlement subsidy-60%)	Difference
Machang Town	41000	41400	400 yuan per mu increased
Dangwu Town	76000	76400	
Huchao Xiang	59000	59400	
Gaofeng Town	41000	41400	

The LA of the Project to be conducted will adopt the new compensation rates. It is deemed that the new compensation rates are higher than the rates established the draft RP, which is advantageous for the APs livelihood restoration.

5 Restoration of Livelihood/Income and Special Facility

The LA of High-end Equipment Industrial Park Terminal has been carried out from 2019 to 2020. But according to master planning, this site may be changed. Once determined, it will be updated in the updated resettlement that will be prepared and submit to ADB prior to awarding civil works contract.

According to the draft RP, the main type of impacts of the Project is permanent LA, involving 13 villages in 4 townships in Gui'an. 161 households with 697 persons will be affected. Among the APs, 336 are female and 29 HHs are ethnic minority household⁴.

In the Project, compensation will be based on location-based composite land prices. In addition, the AHS will receive guidance and support in how to utilize compensation prudently. The main income and livelihood restoration measures are: i) endowment and medical insurance; ii) property allocation; iii) training and employment information; and iv) job opportunities. GPMO will assist the IAs in providing necessary training and job opportunities to the APs, including jobs generated during construction. The APs may invest compensation in catering, transport, household tourism, etc.

These measures will be further elaborated when the RP of 2019 is updated in terms of resettlement detailed measurement survey (DMS) and meaningful consultations affected persons. The implementation of restoration measures will be monitored and reported to ADB regularly.

6 Resettlement Budget and Financing

According to the project construction plan, Gui'an New District is responsible for the raising and payment of resettlement fund of the Project. It is expected that the resettlement fund will be put into use in 2021-2023.

Currently, there are no changes in the resettlement fund management and appropriation method, which is same to the draft RP.

The resettlement budget will be updated in terms of new policies and resettlement DMS when the draft RP is updated.

As of December 2020, the resettlement has not been launched materially, the payment of compensation has not been conducted thereof.

Table 6-1 Payment of Compensation Against the Plan

Item	Resettlement cost (yuan)	Actual Paid (up to Dec 2020, yuan)	Percentage (%)
Total	21794000	the data is under collection	the data is under collection

⁴ A minority household here means a household headed by a minority resident. Chinese is the local everyday language, and many minority residents under 50 years can no longer speak in their ethnic languages in terms of field survey and consultations.

7 Resettlement Organization

7.1 Organizational Setup

The Gui'an New District is the executing agency of the Project, and the local town governments (Machang Town, Dangwu Town, Huchao Xiang and Gaofeng Town) are the resettlement implementing agencies (IA) within their jurisdiction, conducting LA implementation on the ground.

The Gui'an PMO is responsible for project planning, guidance, supervision, and management. See Figure 7-1.

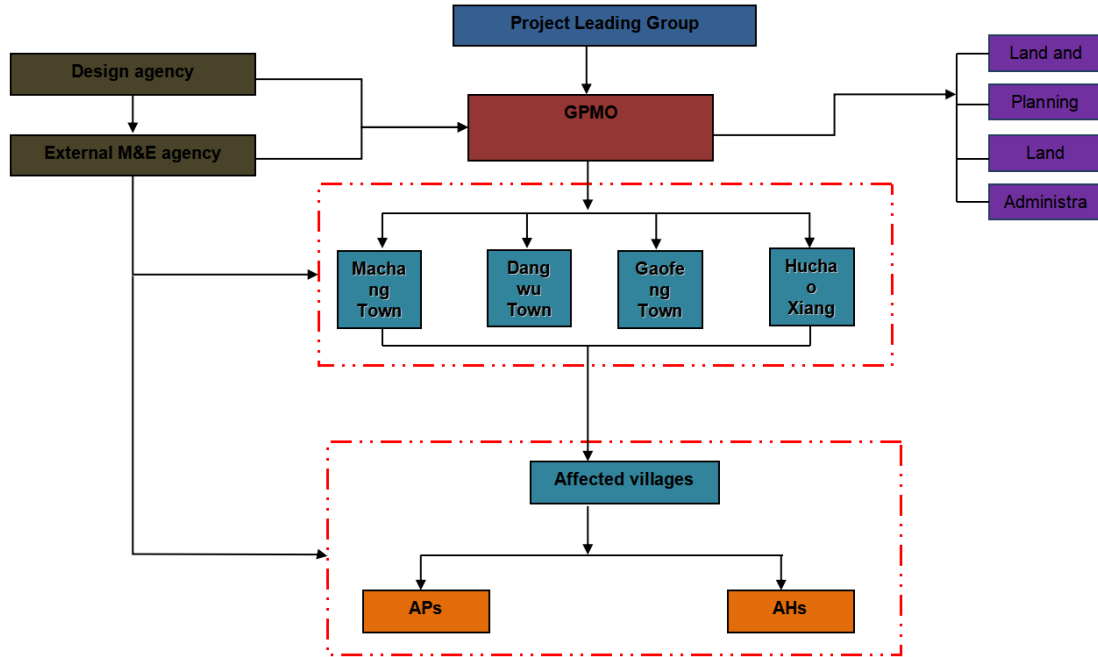


Figure 7-1 Organizational Chart

7.2 Agencies for Resettlement and Social Affairs

The IAs have appointed dedicated staff to be responsible for social and resettlement affairs, as shown in Table 7-1.

There are 2 staff members (1 females) directly related to resettlement and social affairs of the Project.

In addition, the local natural resources, forestry, and labor and social security bureaus, and women federations will also participate in the Project's LA and social affairs.

Table 7-1 Contacts for LA and Social Affairs

No.	City / county	Title	Name	Gender	Ethnic group	Mobile phone	E-mail
1	Gui'an PMO	Deputy Director	Mr. Tang Song	Male	Han	1376508611	/

2		Resettlement and social affairs	Liu Tingjuan	Female	Han	17385317719	/
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7.3 Capacity Building

In Dec 2020, a training session for resettlement was held for the Project by resettlement specialist of PMC, with 18 trainees in total, including 8 females that account for 44.44%.

An internal resettlement reporting system has been established. See Table 7-2.

Table 7-2 Training Offered by the Gui'an and Local IAs in 2020

No.	Topic	Time	Location	Organizer	Trainees	Scope	Participants		Amount (yuan)	Source
							Total	Females		
1	Project kick-off meeting	Dec 20, 2020	Gui'an new district	Gui'an PMO	PMO staff	ADB safeguard policy and resettlement requirements during the project implementation phase	18	8	/	Gui'an PMO

8 Information Disclosure and Public Participation

The Gui'an PMO paid great importance to public participation, and issued a notice on conducting public participation activities under the Project actively in project consultation inception meeting, highlighting the importance of public participation, defining relevant players and duties, and stressing file management and reporting.

The draft RP, including the DDR, has been disclosed on the websites of the ADB and the local governments.

New compensation rates have been disclosed on the local government website. http://www.guiyang.gov.cn/zwgk/zwgkztzgg/zwgkztzggqgs/202012/t20201204_65500460.html

9 Grievance Redress Mechanism

In order to address issues effectively and ensure the successful implementation of project construction and LA, a transparent and effective grievance redress mechanism has been established. The basic grievance redress mechanism is as follows:

a) If any right of any AP is infringed on in any aspect of LA and resettlement, he/she may report this to the village committee or township government, which shall record such appeal and solve it together with the village committee or the AP within two weeks.

b) If the appellant is dissatisfied with the disposition of Stage 1, he/she may file an appeal to GPMO within one month after receiving such disposition, which shall make a disposition within two weeks.

c) If the appellant is still dissatisfied with the disposition of Stage 2, he/she may file an appeal to the Gui'an Arbitration Committee within one month after receiving such disposition, which shall make a disposition within two weeks.

d) If the appellant is still dissatisfied with the disposition of Stage 3, he/she may bring a suit in a civil court directly in accordance with the Administrative Procedure Law of the PRC.

At any stage, an AP may bring a suit in a civil court directly if he/she is dissatisfied with the grievance redress procedure or disposition.

The APs may also lodge their complaints with ADB. Initially, complaints will be handled by the Project Team in the Operations Department. If the APs are dissatisfied with the result of complaint handling and are hurt affected negatively because ADB's policies were not observed, they may make complaints to the Office of Special Project Facilitator or the Office of Compliance Review Panel, the two branches of the ADB's Accountability Mechanism⁵.

All grievances, oral or written, will be reported to ADB in internal and external resettlement monitoring reports.

All agencies will accept grievances and appeals from the APs for free, and costs so reasonably incurred will be disbursed from the contingencies. At the whole construction

⁵ More information in <http://www.adb.org/Accountability-Mechanism/default.asp>

stage, the above procedure will remain effective so that the APs can use it to solve relevant issues.

During the implementation of the RP, the resettlement agencies should register and manage appeal and handling information, and submit such information to GPMO in writing on a monthly basis.

GPMO will inspect the registration of appeal and handling information regularly and will prepare a registration form for this purpose.

The above appeal channel has been disclosed to the APs via the RIB and mass media.

As of December 31, 2020, no appeal had been received by or reported to the Gui'an PMO.

10 Conclusions and Suggestions

10.1 Conclusions

The preliminary design of the Project has not been completed yet, the resettlement DMS has not been conducted, therefore, the resettlement plan has not been updated to date.

Both project progress and resettlement progress are behind the schedule due to the COVID-19 pandemic to some extent.

Although relevant resettlement training was provided, local IAs unfamiliar with the ADB's social safeguard policies and documents, affecting LA implementation to some extent.

10.2 Suggestions

1. RP updating

The approved preliminary design is the basis for the updating of the relevant RP. As agreed in Project Agreement, if the RP is not updated and approved by ADB, the civil works contract cannot be awarded. It's suggested the PMO and IAs shall pay great attention to preliminary design approval and RP updating. According to the current arrangement, the RPs or DDRs will be prepared in terms of civil works contracts and be submitted to ADB for concurrence prior to awarding civil works contract.

2. Implementation of new policy for LA

The new Land Administration Law was promulgated in August 2019, and came into effect in January 2020, raising further requirements for LA procedure and elements, such as public hearing and stability risk assessment. With the implementation of the new policy, local LA compensation rates have also been raised to some extent. The LA works of this project shall follow the new laws and regulations.

3. Further conduction of effective public participation activities

Public participation activities that may be conducted at the present stage include (but not limited to): 1) project design optimization to reduce resettlement and social impacts; 2) cross-departmental land use demonstration and resettlement program consultation; 3) participatory resettlement impact survey; 4) participatory stability risk assessment; and 5) consultations of the RP updating issues with related departments

4. Engagement of external monitor

The bidding notice for external resettlement and social monitoring will be issued in April 2021 and hopefully the external resettlement monitor can be in place in June 2021 and submit the 2nd resettlement monitoring report by the end of July 2021.