

ANNEX 4

Resettlement Information Booklet (draft)

I. Objectives of RP Booklet

1. The primary objective of the RP Booklet is provide a brief about the project, particularly the compensation principles and resettlement benefits, and how and when the compensation and other payments will be paid to the project-affected persons/collectives. This is part of the information dissemination work aimed at disclosure of the project policies and procedures regarding land acquisition, resettlement, compensation, payment, and provision of grievance redress and appeal procedures. The EA will distribute the Information Booklet to the APs prior to the commencement of resettlement. Copies of the Booklet would be available at LAR Offices in each District/County, Township and Village Committees.

II. Project Description and Impacts

2. The Project will involve the construction of a dual 2-lane expressway with hard shoulders from Doumuhu in Changde City to Shuxikou in Huaihua City. The total length of the expressway will be around 173 km. The Project will also involve the construction of three inter-connector roads of Class II standard with a length of 12 km. The total estimated budget for the project investment is CNY6.86 billion.

3. The Project area of influence covers three district/counties: Dingcheng, Taoyuan and Yuanling. The project will pass through 81 villages and 22 townships. The project impact data show that 1,122 ha (16,836 mu) land and 351,288 m² building/houses would be dismantled. In all, 13,200 persons would be affected by the project construction.

III. Compensation Policy and Rates

4. Policies regarding compensation and resettlement for the APs in the project are based on a combination of the PRC laws and regulations and ADB's policy on involuntary resettlement. The primary objective of the RP is to restore the income and living standards of the APs in post-resettlement period and with as little disruption as possible in their own economic and social environment. Particular attention has been paid to needs of the poorest and vulnerable groups to be resettled. The RP has been prepared with this as the guiding principles. The principles are summarized in Table 1.

Table 1 Resettlement Principles

	Principles
1	That compensation and entitlements provided to APs are adequate to at least maintain their “without project” standard of living, with prospect of improvement.
2	All APs, titled or non-titled, are taken into account for compensation and resettlement assistance.
3	Land redistribution will ensure per capita minimum holding in post-resettlement period to maintain livelihood standards.
4	Where land acquisition per capita is not sufficient to maintain livelihood, compensation in cash or kind for replacement land for other income-generating activities will be provided for.
5	All APs will be adequately informed on eligibility, compensation rates and standards, livelihood and income restoration plans, project timing, and will be involved in RP implementation.
6	No land acquisition will take place prior to satisfactory compensation resettlement of APs.
7	The EA and independent/third party will monitor compensation and resettlement operations.
8	Vulnerable groups should receive special assistance or treatment to ensure they are better off.
9	Resettlement affected people should have opportunities to benefit from the project.
10	Resettlement plan should be combined with the overall county or township planning.

5. In this project, compensation rates have been fixed higher than any recent projects due to the critical importance of the project to the growth and development of the western part of Hunan province as well as the implementation of China’s Western Development Strategy in Hunan Province. The rates for various types of losses are listed in Table 2.

Table 2 Table Compensation Rates by Types**1. Compensation Rates for House/Building**Unit: Y/m²

House Type	Brick & Concrete	Brick & wood	Wood + roof tile	Simple
Compensation rates	280	220	160	90

2. Compensation Rates for Land (Y/Mu)

Irrigated land(Dingcheng)	10440
Irrigated land(Taoyuan)	9360
Irrigated land(Yuanling)	8760
Dry farmland	6000
Water pond	8700
Timbre forest	4350
Economic forest/orchard	5220
Housing plot	5220
Other	870

3. Other Categories

Item	Unit	Rate
Water well	unit	300
Enclosure	M	20
Brick kiln	Unit	400
Sunning plot	M ²	10
Tomb	Unit	400

Temporary land use (2 years)	1740
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* the rate for trees are average prices

4. Fruit tree and other trees

(1) fruit tree

Category Rate Description	Citrus	Pear, persimmon, chestnut,	Peach, plum	Grape and others
Young tree	5	5	5	5
Initial fruit-bearing(1-3years bearing)	20-50	20-40	10-35	10-25
Productive tree(more than 3 years bearing)	80	80	60	30
Aged tree	30	30	20	20
(2) bamboo			(4) Timbre tree (in height)	
Perimeter□< 16cm□	6		<0.5	2
Perimeter□> 16cm□	8		0.5-1.0	4
(3) oil tree			1.0-1.5	6
Young tree	3		1.5-2.0	8
Class I tree	20		2.0-2.5	10
Class II tree	15		2.5-3.0	12
Class III tree	10		>3.0	15

IV. Payments of Compensation

6. Compensation for affected land and public infrastructure belongs to farming collectives and will therefore be paid directly to the Villager Committees for the utilization of developing the production, rehabilitating the economic level for affected persons. Where adequate land is not available, cash compensation will be paid to individuals/families affected by loss of cultivable land.

7. Compensation subsidy will be paid to the agency that is responsible for resettling the agriculture population while resettlement subsidy will normally be paid to the Villager Committees/Groups that are affected or redistributed. If they do not receive redistributed land and want to resettle by themselves, it will be paid to affected individuals.

8. The compensation for houses, special purpose facilities, auxiliary facilities and crops not matured will be directly paid to the owners. Compensation for affected enterprises will be paid directly to the respective enterprises. The entitlement matrix in Table 3 contains detail description of the policy and implementation issues.

V. Transition Allowances

9. In addition to the compensation for houses and land, the affected persons will also receive allowances for relocation and resettlement. All APs affected by house/apartment/shop will receive the following allowances (the temporary housing will be based on the AP's needs): (i) transport expenses, CNY200 per household; (ii) work losses (*Wu Gong Fei*) CNY 200 per household; (iii) transfer cost/loss CNY100 per household; and (iv) medical expenses due to household demolition, CNY200 per households. There will be no allowance for any households provided with temporary housing by the project LAR agency, or for the households whose existing homes shall not be demolished until after completion of construction of their new houses. Proper allowances will be paid for loss of production or business resulting from the demolition of the houses used for businesses.

VI. Implementation Organizations

10. The HPCD will be responsible on behalf of the Hunan Provincial Government for the general administration of the project implementation and the monitoring of the work done by project implementation agency (IA) – Hunan Changde-Jishou Expressway Construction and Development Co. Ltd. (CECC). CECC will be responsible for the execution and coordination of land acquisition and resettlement (LAR) and resolve problems vital for the implementation of LAR. A LAR Division shall be set up within the CECC with following responsibilities:

- (i) Following the decision by the Hunan Provincial Government, organize and coordinate land acquisition and resettlement work and compensation payment, and sign resettlement agreements with LAR Coordination offices of the district/counties.
- (ii) Conduct supervision of the implementation work, including payment and utilization for funds.
- (iii) Provide guidance to the district/counties, townships and villages on the preparation of rehabilitation plan.

11. LAR Office will be established at each of affected district/county with following responsibilities. The County level Resettlement Office (CRO) will be primarily responsible for RP implementation and supervision. Principal tasks of the CRO include:

- (i) Checking, based on the assignment and requirement set by the HPCD, the volume and number of affected land, houses, infrastructure and special purpose facilities, etc.
- (ii) Appraising the value of the land and houses to be acquired and demolished and making compensation rates.
- (iii) Signing land acquisition and resettlement agreements with affected enterprises and individuals.
- (iv) Payment of compensation to affected families/units.
- (v) Carrying out the specific implementation of land acquisition and resettlement and ensuring timely construction of new houses and timely resettlement progress.

- (vi) Supervision and inspection of the payment and utilization of resettlement fund.
- (vii) Monitoring execution of RP in street/township and villages.
- (viii) Reporting to the LAR Division of the HPCD on resettlement situation periodically, and submit statistics/data as required.

12. Township Resettlement Offices (TROs) have the following responsibilities:

- (i) Survey, monitor and record all resettlement activity within its jurisdiction;
- (ii) Supervise acquisition of land, houses, other buildings and structures, public utility infrastructure and enterprises as well as the relocation and reconstruction of houses and non-residential buildings;
- (iii) Supervise the employment and training of the APs in township enterprises.

13. Village Administration Committee and Villagers' Groups have the following responsibilities:

- (i) To report on:
 - Quantity of land acquired;
 - Ownership and use rights of land and property;
 - the Land-Labor ratio.
- (ii) Participate in surveys;
- (iii) Hold properly constituted meetings to decide on land redistribution and the allocation of compensation between the community and individual APs and how to use compensation not handed directly to APs;
- (iv) Select resettlement sites and undertake land redistribution;
- (v) Address grievance issues;
- (vi) Report on the progress of resettlement.

VII. Participation IN RP Planning & Implementation

14. The EA already consulted with affected local government at various levels and the representatives of affected persons and enterprises through meeting at the design stage and initial preparation stages. During the survey and design stage, AP will be involved in the following activities: (i) alternative alignment to further minimize impact; (ii) classification and measurement of affected land, houses, enterprises; (iii) survey and inspection of trees, water wells, walled enclosures, graves etc; and (v) survey and reconfirmation of hydrology, electrical supply, communication and other infrastructures.

15. At the implementation stage, APs will be involved in carrying out the following tasks: (i) determine the scope of compensation and compensation rates; (ii) agreements on compensation; (iii) selection of new resettlement areas; (iv) redistribution of land; (v) utilization of compensation funds at village level; (vi) decision of grievance appeals; and (vii) RP monitoring and investigation.

VIII. Grievance Procedures

16. Members of the resettlement offices at the village, township, and district/county would readily answer any inquiry regarding RP implementation. The name of head, office address and telephone numbers would be available at every level at the start of the project.

17. The grievance procedures will be handled at three levels. These are:

- **Stage 1:** If any person is aggrieved by any aspect of the resettlement and rehabilitation program, he / she can lodge an oral or written grievance with the Village Administration Committee or the local TRO. In case an oral complaint is made, it should be written on paper by the village unit and processed. The Village Committee or the TRO must resolve the issue within two weeks.
- **Stage 2:** If the aggrieved person is not satisfied with the decision taken in Stage 1, he/she can bring the complaint to the attention of the CRO within one month from the date of the receipt of the Stage 1 decision. CRO will reach a decision on the complaint within two weeks.
- **Stage 3:** If the aggrieved person is not satisfied with the decision of the CRO, he / she can bring the complaint to the attention of the HPCD within one month from the date of the receipt of the Stage 2 decision. The HPCD will reach a decision on the complaint within three weeks.
- **Stage 4:** If the AP is still dissatisfied by the decision, he/she can appeal to the Peoples Court, at the appropriate level, in accordance with the "Civil Procedures Act", within 15 days of receiving the decision of the HPCD.

18. APs can make and appeal on any aspect of the resettlement and rehabilitation program, including compensation rates offered. Detailed procedures for redress of grievances and the appeal process will be publicized among the APs in the Resettlement Booklet. The grievance procedures will also be explained to the APs through public meetings to be conducted by the IA/District/County LAR Offices prior to land acquisition and resettlement.

19. The grievance procedures will be operative throughout the entire construction period so that they can be used by villagers to deal with problems relating to infrastructure rehabilitation, such as the reconstruction of irrigation networks, the positioning and design of drainage culverts and pedestrian underpasses, local road access, the use of temporary land, etc. In this way villagers will have an effective procedure to bring these matters to the attention of IA and the contractors, as well as a forum, for their timely resolution.

Table 3 Entitlement Matrix of Compensation and Resettlement Policy

Type of loss	Application	Entitled person/ group	No. of entitled persons /groups	Compensation policy	Compensation Entitlement	Implementation issues
Permanent loss of cultivated land	Cultivated land located in the right-of-way of expressway and inter-connector roads. Land adjacent to ROW for construction purposes	a) Land-owning groups b) Farmers who use the land	a) 375 land owning groups in 81 villages b) Households who lose land	Land compensation and resettlement subsidies respectively*; Replacement land and/or cash payments and/or income restoration measures sufficient to ensure maintenance of existing economic and social conditions Priority should be given to the villages with land loss if land reclamation program is feasible	Full compensation for 375 land-owning groups and land loss households, the share between land owning group and households will be determined by villagers' meeting. APs are able to contract reclaimed land if it is available.	Village meetings to be responsible for deciding on the allocation of funds, the redistribution of land and investment in income generating activities such as improved cultivation techniques/ irrigation/ small business development/ training. Higher level authorities to approve and monitor village level proposals and, if required to facilitate training programs
Temporary loss of cultivated land		Farmers who use the land	(to be identified during construction)	Cash compensation based on AAOV for each year land is not available + reinstatement to pre-construction condition	Who lose crops will receive full compensation according to compensation standard.	Village Committee/farm owners must be notified in advance and paid accordingly
Forest land	Forest land within ROW	Local forest bureau / Forestry Farm	(To be identified,)	Cash compensation to Forest bureau according to standards and regulation of Hunan provincial laws		To be taken care by the forest bureau
Loss of residential land/ property	Residential land located in or affected by ROW	Owner of the building or houses	1275 households	Cash compensation for land if AP requires new plot Cash compensation at replacement rates for all buildings Transition and moving allowances, transportation/shifting cost	Pay compensation for owner of the house/building 1275 households	Sub-villages and APs to decide on location of new residential plots.
Non-cultivated land loss	Non-cultivated land within ROW	Land-owning groups	375	Cash compensation.	375 villagers' groups	The rate must be negotiated with the land owners/groups.
Loss of non-residential establishments (e.g., common property units etc.)	Establishments sited in or affected by ROW	a) Legal owner of the establishment b) Employees/teachers c)Students	5 schools	Cash compensation for land or replacement site provided Cash compensation for buildings Transitional allowances for lost income; Moving allowance for transport of building materials to new families who are relocated (not payable in cash). Construction of common property units by local government in consultation with beneficiary groups	Full compensation based on compensation standards social units	Assistance in finding new site if relocation of establishment is unavoidable. New schools must be ready prior to relocation.
Business/ salary losses		10 affected workers	An observatory station in Zhengjiayi Forestry farm	Business/salary losses will be compensated through specific allowances to be paid on a monthly basis for up to 6 months after relocation. The business losses allowance will be based on the total post-tax profit during the six months prior to relocation as declared in the tax receipts.	Zhengjiayi Forestry Farm will receive the compensation	
Crops losses / Trees		Affected people	All owners who loss trees	Crops losses will be compensated at a rate equal to the market value of the harvested crops Trees will be compensated based on project standards	Full payment direct pay to the tree owners	

* Cultivated land reclamation fee is also payable but this does not affect APs. Source: derived from preceding text.