Shayinghe River Channel Improvement Project

Resettlement Action Plan

Yingshang 2nd Ship Lock

Institute of Resettlement of Anhui Communications
Vocational & Technical College
Anhui Jiaoyuan Project Management Co., Ltd

December 2014
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1 Overview

1.1 Background and Description

1.1.1 Background

Yingshang 2\textsuperscript{nd} ship lock is the last one in Shaying River, which was built and put into use in 2008. It is a level IV (500t) ship lock with freight volume of 6 million tons, and the scale of construction is 180×12×3m (length*width*depth). Both upstream and downstream channel was man-made. Straight width of the channel is 35m, curve width is 47m, minimum turning radius is 350m, the length of upstream channel is 1318.89m, and elevation is 16.4m, the length of downstream channel is 1821.94m, and elevation is 14.5m.

The Project is to be built by Grade IV navigation channel standards, with a design tonnage of 500t (up to 1,000t) and a maximum annual unidirectional navigation tonnage of 12 million tons. The lock chamber has a dimension of 200×23×4.0m (Length*Width*Water Depth at Lock Sill). The upstream and downstream channels have a length of respectively 540m and 760m. The upstream channel, measuring 80m across at the bottom, is shared with the Single Waterway Ship Lock.

The permanent occupation of land includes ship lock area, approach channel, construction area and management area. Total area is 136.4mu, which is state-owned land ownership. Among them, 20.3mu of lands belongs to Yingshang Ship Lock Administrative Office in Shaying River of Anhui Provincial Port&Shipping Construction Investment Group Co., LTD; 116.1mu of land belongs to Yingshang Channel Management and Administrative Office of Water Resources Department of Anhui Province. The permanent occupation of land is located in Shencheng Town of Yingshang County, which is between original Check Gate and Ship Lock.

Influence area of Yingshang 2\textsuperscript{nd} ship lock project is the transitional zone from coastal area to midland; it connects coastal area and midland. With the development of industrial and agricultural production, especially the requirement of coal and minerals, in 2020 and 2030, the volume of freight can reach 22.50 million ton and 31 million ton, among them, 11.50 million ton and 19.80 million ton are in Yingshang Ship Lock, in the long run, the volume of freight in Yingshang Ship Lock can be 30 million ton in 2050.

With the completion and commissioning of the Fuyang Ship Lock, navigation for the whole stretch of the Shaying River has resumed. As the existing Yingshang Ship Lock is inadequate to meet the navigation requirements, a new bottleneck problem stands in the way of greater transport capacities. In May, 2005, there are more than 600 ships delayed in
Yingshang Ship Lock. Yingshang 2nd ship lock project can solve these problems and meet the requirements of transportation and development of big ship, and it also has benefits in social and economic development.

1.1.2 Composition of the project and identification of displaced persons

In April 24, 2013, Anhui Development and Reform Commission give a reply about “Set up Yingshang 2nd ship lock project” (Anhui D&R[2013] NO.398). The project come up with two parts which are ship lock and bridge, it has confirmed that the level is IV. Based on prediction of developments of transportation volume and water shipping, the construction level is 500ton, which can reach 1000ton. The location of Yingshang 2nd ship lock project is shown in map 1-1.

![Figure 1-1 Location of Yingshang 2nd ship lock project](image)

Resettlement Impacts is shown in Table1-1.

<table>
<thead>
<tr>
<th>item</th>
<th>Affected Village/Company</th>
<th>Type</th>
<th>Main resettlement impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>No</td>
<td>permanent occupation</td>
<td>20.3mu of lands belongs to Yingshang Ship Lock Administrative Office in Shaying River of Anhui Provincial Port&amp;Shipping Construction Investment Group Co., LTD; 116.1mu of land belongs to Yingshang Channel Management and Administrative Office of Water Resources</td>
</tr>
</tbody>
</table>
1.1.3 Summary of resettlement impacts of the project

Based on initial evaluation, the resettlement impacts of the project mainly include permanent and temporary land occupation and resettlement of 1 state-owned-enterprise, involving 1 town and 3 villages of Yingshang County of Fuyang Municipality in Anhui Province and Yingshang Ship Lock Administrative Office in Shaying River. 136.4mu of state-owned land will be permanent acquired; 457.45mu of collective land and 50mu of state-owned land will be temporary acquired. 1330 m² of state-owned structure demolished, affecting 1 enterprise with 35 employees. There are 12000 households in Shencheng Town, 43462 people were affected in terms of travel; 5 types of infrastructure will be affected. Effects of resettlement are shown in Table 1-2.

Table 1-2  Effects of resettlement

<table>
<thead>
<tr>
<th>County/City</th>
<th>Xiang/Town</th>
<th>Shencheng Town</th>
<th>Yingshang County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Village(per)</td>
<td></td>
<td>3</td>
<td>Jiangxinzhou Community, Sanba Community, Shabei Community</td>
</tr>
<tr>
<td>Permanent land occupation (mu)</td>
<td></td>
<td>136.4</td>
<td>Land belongs to Yingshang Ship Lock Administrative Office and Yingshang Channel Management &amp; Administrative Office under Water Resources Department of Anhui Province</td>
</tr>
<tr>
<td>Temporary state-owned land occupation (mu)</td>
<td></td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>Temporary collective land occupation</td>
<td></td>
<td>457.45</td>
<td></td>
</tr>
</tbody>
</table>
### Table

<table>
<thead>
<tr>
<th>(mu)</th>
<th>Demolition (m²)</th>
<th>1330</th>
<th>House type : office</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Affected people</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Households(per)</td>
<td>2</td>
<td>Land belongs to Yingshang Up-Ship Lock Administrative Office and Yingshang Up-Check Gate Administrative Office of Water Resources Department of Anhui Province</td>
</tr>
<tr>
<td></td>
<td>Population(per)</td>
<td>58</td>
<td></td>
</tr>
<tr>
<td><strong>Infrastructure</strong></td>
<td>6000v High-voltage</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>380v pole(per)</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td></td>
<td>communication pole(per)</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td></td>
<td>optical cable(meter)</td>
<td>150</td>
<td></td>
</tr>
<tr>
<td></td>
<td>hydrometric station(set)</td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>

### 1.2 Social and economic benefits

Yingshang 2nd ship lock project is a non-profit transportation infrastructure project, it has many social benefits. After completion, there are many benefits in economic development and transportation; it also plays an important role in Huai River Waterway network.

National economic evaluation is based on social rate of discount, and social rate of discount in this project is 8%, that is to say, it can brings economic benefits. From the view of national economy, Yingshang 2nd ship lock project is feasible.

### 1.3 Investment estimate and implementation plan of resettlement

The construction investment in the project is about 326.5224 million yuan. It will come from three sources: Loans from World Bank, financial aid from state and Anhui Province and Anhui Provincial Port & Shipping Construction Investment Group Co., LTD. The Budget of land occupation and resettlements is 8.0789 million yuan, accounting for 2.55%, which comes from counterpart funding. The overall construction period of the project is 30 months. The Resettlement Implementation Plan will be implemented from December 2014 to June 2017.
2 Impacts of the Project

2.1 Measures to avoid or minimize land acquisition and house demolition

Land acquisition and house demolition will be minimized at the construction stage on the following principles:

- Avoiding or minimizing the occupation of existing and planned residential areas;
- Avoiding or minimizing the occupation of high quality cultivate land;
- Utilizing existing national and local roads to lead to the proposed construction area;
- Avoiding or minimizing the occupation of environmentally sensitive zones.

2.2 Range of survey of land acquisition and house demolition impacts

According to the recommended option, the resettlement impacts of the project involve 1 Xiang/Town, 3 communities and 1 state-owned enterprise. The resettlement impacts include permanent state-owned land occupation 136.4 mu, structure demolition is 1330m2. Temporary land occupation is 507.45 mu.

Figure 2-1 Affected state-owned infrastructures

Figure 2-2 Temporary Disposal area
2.3 Methods and process of survey

The group of Anhui Communications Vocational & Technical College Project Management Co., Ltd had a comprehensive survey on all residents in affected area. In this survey, they read some historical documents, did questionnaire survey, and used the method of visiting and meeting with residents. They also communicated with the project designing company on the methods of reducing resettlement influence and optimizing the project design. And through the way of random selection and distributed 55 questionnaires surveys of resettlement willingness to affected people; the group also had 4 meetings with accountant, leader and representatives of village.

In April, 2013, the project was approved by Anhui Development and Reform Commission; In May, 2013, Anhui Provincial Port & Shipping Construction Investment Group Co., LTD entrusted Anhui Provincial Communications Survey & Design Institute Co, Ltd to prepare the Feasibility Study Report of the Project on “Yingshang 2nd ship lock project”.

In May 2014, the group of Anhui Jiaoyuan Project Management co., Ltd conducted a feasibility survey of the affected areas. In Nov. 2014, the group of Anhui Jiaoyuan Project Management co., Ltd conducted a detailed survey of the temporary land occupation. They also conducted a sampling survey of socioeconomic status of affected households. The survey covered household population, impacts of land acquisition and house demolition, household economic condition and willingness for resettlement, etc. During the survey, the survey team also listened to the opinions of the village committees and the villagers about land acquisition, house demolition and resettlement, and conducted extensive consultation.

During the survey, the survey team also listened to the opinions of the village committees and the villagers about land acquisition, house demolition and resettlement, and conducted extensive consultation. The main findings were as follows:

1) Almost all affected rural households welcome the project and know the project will be commenced soon.

2) The project does not involve permanent collective land occupation, but involves temporary land use. Meantime, this project also includes few infrastructures and ground annexes.

3) Almost all affected households thought the impacts of land acquisition to them were slight. After temporary land use, it would be restored and handed over for cultivation. During the temporary land use, cash compensation will be offered.
4) The compensation should be disbursed in time and transparently and intermediate links should be minimized as much as possible.

2.4 Permanent acquisition of state-owned land and impact analysis

The project is an extension of original Ship Lock, permanent land occupation is 136.4 mu, and they all belong to Yingshang Ship Lock Administrative Office and Yingshang Channel Management and Administrative Office of Water Resources Department of Anhui Province. The property of land is irrigation works land, it can put into use directly, do not need new land occupation, so does not have affected households and people.

2.5 Temporary land occupation

Temporary land occupation is because of disposal area, among them 475.45 mu is collective land, 50 mu is state-owned land. 1# Disposal area is located in Jiangxinzhou Community of Shencheng Town, taking up 304 mu collective land; 2# Disposal area is located in Sanba Community of Shencheng Town, taking up 153.45 mu collective land; 3# Disposal area is located in Shabei Community of Shencheng Town, taking up 50 mu state-owned land.

Excavation of the project is 2.1169 million m³, refilling is 0.6444 million m³, disposal is 1.4725 m³, after reusing, the actual disposal is 1.3518 million m³.

1# Disposal area is collective land in ship lock area which is in the back of South Flood protection embankment, it belongs to Zhenjiangzhou Community of Shencheng Town. This area is low, and located between old and new shipping lane, which is not suitable for cultivation at the moment. After land fill it will be restored and handed back to local communities. Based on “Overall Plan for Land Utilization in Shencheng Town of Yingshang County(2006-2020)”, it will be built as a delta park.

2# Disposal area is collective land in the back of South Flood protection embankment, it belongs to Sanba Community of Shencheng Town. This area is low, which is suitable to be a disposal area.

3# Disposal area is state-owned land in the back of North Flood protection embankment, the property of land is construction land(irrigation works land), it belongs to Shabei Community of Shencheng Town. This area is low, which is suitable to be a disposal area.

Based on engineering feasibility study of the project, the duration is 30 months. During the construction, temporary land will be acquired only when needed, thus minimizing effects on farming. Disposals is normal soil which does not include mineral residuals and other
discarded construction materials, there is no negative effects on corps.

Picking area and Disposal area are both in the low area or non-agricultural land, avoiding effects on farmers.

2.6 Affiliated house demolition in rural area

No house demolition in rural area of the project.

2.7 Affected population from temporary land use

The project will affect 772 people out of 221 households. The population affected by the project due to temporary land use is shown in Table 2-1.

Table 2-1 Summary of Affected Population in Temporary Land Occupation

<table>
<thead>
<tr>
<th>County/City/Town</th>
<th>Shencheng Town of Yingshang County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community</td>
<td>Households</td>
</tr>
<tr>
<td>Jiangxinzhou Community</td>
<td>145</td>
</tr>
<tr>
<td>Sanba Community</td>
<td>67</td>
</tr>
<tr>
<td>Shabei Community</td>
<td>9</td>
</tr>
<tr>
<td>Total</td>
<td>221</td>
</tr>
</tbody>
</table>

2.8 Affected vulnerable groups

For the purpose of the project, vulnerable groups mean the disabled, Wubao (Five Guarantees), widows, low-income or poor person and ethnic minorities.

Based on the survey, the affected population is composed entirely of Han people. No vulnerable groups.

2.9 Affected ethnic minorities

There is no ethnic minorities in the project area.

2.10 Residents travel plan

During construction, the original lock will be demolished. 1492 people out of 427 households in Jiangxinzhou Community have been affected. To decrease the inconvenience, construction roads have added to the design stage, the roads can meet the passing
requirements of pedestrian, non-motor vehicle, mini-sized motor vehicle. As large-sized motor vehicle, they can travel around in 4th Yinghe Bridge, the mileage is 2.6 km, and there is little influence on motor vehicle.

Motor vehicle travel plan is shown in Figure 2-3

*Figure 2-3 Motor vehicle travel plan*
3 Socioeconomic Overview of the Affected Areas

Jiangxinzhou Community, Sanba Community and Shabei Community in Fuyang Municipality were involved in this project. Socioeconomic profiles of affected areas are shown as below:

3.1 Socioeconomic profile of affected areas

3.1.1 Socioeconomic background of Fuyang Municipality

**Fuyang Municipality**—Fuyang is located in northwestern Anhui, the south tip of the Huang-Huai-Hai Plain and the west of the Huaibei Plain. It borders Zhoukou and Zhumadian Cities, Henan Province on the west, Xinyang City, Henan Province on the southwest, Bozhou City on the north and northeast, and Huainan City on the east, and abuts on the Huai River across Liu’an City on the south. Presently, Fuyang Municipality governs Jieshou City, Taihe, Linquan, Yingshang and Funan Counties, and Yingzhou, Yingquan and Yingdong Districts, with an area of 9,775 km² and a population of 9.743 million, being the largest population municipality of Anhui Province.

Fuyang abounds with resources, and is an important production base of farm and sideline products of the state, and also a rising coal and energy base of Anhui Province and even the whole eastern China region.

According to statistics, Fuyang’s regional GDP was 96.25 billion yuan in 2012. Annual social investment in fixed assets attained 51.48887 billion yuan, in which the investment in industry was 38.821 billion yuan, the investment in Real Estate was 8.79851 billion yuan. Annual fiscal revenue was 13.65906 billion yuan. In 2007, per capita disposable income of urban residents 18,972 yuan and per capita net income of farmers 5,922 yuan.

3.1.2 Socioeconomic overview of the affected counties

**Yingshang County** Yingshang County is located in the northwest of Anhui, it borders on 9 counties/cities in Anhui and Henan Province, and it includes 31 Xiang/Towns and 1 provincial industrial park, with an area of 1,839 km² and a population of 2.3 million (in the end of 2011). Yingshang County is the largest population county in China.

In the end of 2012, the county industrial gross output value of 8.5 billion yuan, up by 31.5%; Industrial added value 1.8 billion yuan, up by 23.3%; Industrial sales output value 8.9

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billion yuan, increased by 36.8%, with sales by 104.7%; Industrial comprehensive benefit index of 261%.

**Shencheng County** It located 15 km far from eastern of Yingshang County, which is a historical area, enjoys an advantaged geographic location and convenient traffic. The total area is 71km$^2$, downtown area is 45km$^2$; agricultural land is 47,483mu; governs 13 village committees. The total population is 63,636, and the downtown population is 21,000.

### 3.1.3 Socioeconomic profile of affected villages(community)

The project will affect Jiangxinzhou Community, Sanba Community and Shabei Community. It is in the middle class of all villages. The main incomes of villager are being migrant workers.

#### Table 3-1 Social and economic profile of affected villages (community) (2013)

<table>
<thead>
<tr>
<th>Community</th>
<th>Households</th>
<th>Population</th>
<th>Men</th>
<th>Labor force</th>
<th>Arable area (mu)</th>
<th>Per household population</th>
<th>Per capita arable area (mu/person)</th>
<th>Per capita net income of farmers (yuan/person)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jiangxin Zhou</td>
<td>1720</td>
<td>5461</td>
<td>2536</td>
<td>3346</td>
<td>1146</td>
<td>3.18</td>
<td>0.21</td>
<td>4268</td>
</tr>
<tr>
<td>Sanba</td>
<td>2001</td>
<td>7775</td>
<td>3962</td>
<td>5267</td>
<td>3440</td>
<td>3.89</td>
<td>0.44</td>
<td>4012</td>
</tr>
<tr>
<td>Shabei</td>
<td>1547</td>
<td>5416</td>
<td>2813</td>
<td>3215</td>
<td>1460</td>
<td>3.5</td>
<td>0.27</td>
<td>4180</td>
</tr>
</tbody>
</table>

#### 3.2 Social and economic profile of affected population

To learn the basic information of the population affected by land acquisition, the social and economic survey team conducted a sampling survey of the affected households. The project affects 772 people out of 221 households, investigation on 15 directly affected households and 5 indirectly affected households.

Investigation from these aspects: ethnic minorities, female population, age structure, education level, housing area, arable land, the family property, family income and expenditure and willingness for resettlement.

#### 3.2.1 Ethnic and female population analysis

All the surveyed population is Han people, no ethnic minorities.

The 20 surveyed households have a total population of 64, a total labor force of 48, and
total agricultural labor force is 48, accounting for 100% of total labor force, and average household population of 3.2. All the surveyed population is Han people, including 20 women, accounting for 31.25%; women deal mainly with crop cultivation, housework and other productive activities.

3.2.2 Demography

Among the 64 people out of the 20 households, 4 are under the age of 6, accounting for 6.3%; 10 aged 7-17, accounting for 15.6%; 18 aged 18-40, accounting for 28.1%; and 22 aged 41-61, accounting for 34.4%; 10 aged over 61, accounting for 15.6%.

3.2.3 Education

Among the 64 people out of the 20 surveyed households, 4 are preschoolers, accounting for 6.3%; 7 are illiterate, accounting for 10.9%; 10 have received primary school education, accounting for 15.6%; 28 have received junior secondary school education, accounting for 43.8%; 12 have received senior school education, accounting for 18.8%; 2 have received technical secondary school education or above education, accounting for 4.7%.

3.2.4 Housing area

Among the 64 people out of the 20 surveyed households, total housing area is 3159 m2; per household housing area is 157.95 m2, and per capita area 49.36 m2.

3.2.5 Arable land

Among the 20 people out of the 64 surveyed households, 1.15mu per household and 0.28mu per capita. Mainly are Cotton, wheat, rice, and net annual income per mu is about 880 yuan.

3.2.6 Household properties

Among the 20 people out of the 64 surveyed households, an average household owns 1.8 color TV sets, 0.9 refrigerators, 2.9 electric fans, 0.6 washing machines, 2.3 fixed telephones and/or mobile phones, 1.5 electric bicycle. In terms of household properties, the affected households largely have a medium standard of living.

3.2.7 Household income and expenditure

According to the statistical analysis of the 20 people out of the 64 surveyed households, per capita annual household income is 9,778 yuan/person, in which income from work 8,025 yuan/person, accounting for 82.07%; operating income 726 yuan/person, accounting for 7.42%; property income 259 yuan/person, accounting for 2.65%; and transfer income 768
yuan/person, accounting for 7.85%. The main sources of income of the farmers mainly include crop cultivation and employment, etc., which is consistent with the local industrial structure in which agriculture and industry are paid equal attention to. Women usually do manual work while farming, while men usually work at a factory or outside.

Per capita annual household expenditure is 5,440 yuan/person, in which household operating expenditure is 2,236 yuan/person, accounting for 41.1%; personal consumption expenditure 472 yuan/person, accounting for 8.68%; tax and charge payment 68 yuan/person, accounting for 1.25%; purchase of productive fixed assets 2,543 yuan/person, accounting for 46.75%; property expenditure is 52 yuan/person, accounting for 0.96%; transfer expenditure is 69 yuan/person, accounting for 1.27%.

3.2.8 Willingness for resettlement

According to survey results, if their houses are demolished, they all ask for cash compensation. After compensation, affected households has following intentions: a) Getting land through adjustment between peasants to build their own houses; b) Taking advantages of compensation, they are willing to invest small businesses such as restaurants, grocery and repairing shop, through these to increase family income.

3.2.9 Suggestion for resettlement

While conducting the social and economic survey, the survey team also conducted a survey of willingness for resettlement, the results of which are as follows:

① Awareness: 95% of the respondents are aware of the project, 5% are not very clear, and no one is unaware at all.

② Supportive attitude: 90% of the respondents support the project, and 10% are indifferent.

③ Degree of impact: 20% of the respondents think the project has no adverse impact; 40% think the construction of the project will affect traffic; 10% think house demolition will cause economic losses to them; and 30% think land acquisition may reduce their income.

④ Resettlement for production: 90% of the respondents ask for cash compensation without land replacement; 10% ask for cash compensation after land reallocation. The public opinion survey is shown in Table 3-2.
<table>
<thead>
<tr>
<th>No.</th>
<th>Question</th>
<th>Answer</th>
<th>Proportion of selection by affected households (%)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>1</td>
<td>Are you clear about the project?</td>
<td>(1) Clear; (2) Not very clear; (3) Unclear</td>
<td>95 5 0 0 0 100</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Source of the project and land acquisition</td>
<td>(1) Newspaper; (2) Meeting; (3) Neighbor; (4) Social surveyor</td>
<td>5 5 15 75 0 100</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Do you approve of the project?</td>
<td>(1) Yes; (2) No; (3) Indifferent</td>
<td>90 10 0 0 0 100</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>To whom do you think the project is of benefit (multiple choices allowable)?</td>
<td>a) State: (1) Yes; (2) No</td>
<td>95 5 0 0 0 100</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>b) Collective: (1) Yes; (2) No</td>
<td>95 5 0 0 0 100</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>c) Individual: (1) Yes; (2) No</td>
<td>90 10 0 0 0 100</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Which benefits do you think the project will bring to you?</td>
<td>(1) Keeping assets safe; (2) Improving ecological environment; (3) Increasing income; (4) Other</td>
<td>10 85 5 0 0 100</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>What adverse impacts do you think will the project have on you?</td>
<td>(1) No adverse impact; (2) Impact on traffic conditions due to construction; (3) Possible economic losses due to house demolition; (4) Possible reduction of income due to land acquisition; (5) Other adverse impacts</td>
<td>20 10 40 30 0 100</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Do you know the compensation and resettlement policies for land acquisition and house demolition?</td>
<td>(1) Yes; (2) Somewhat; (3) No</td>
<td>0 15.3 84.7 0 0 100</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>During land acquisition and house demolition, will you file an appeal when your lawful rights and interests are infringed upon?</td>
<td>(1) Yes; (2) No</td>
<td>83.1 16.9 0 0 0 100</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Willingness for compensation for land acquisition</td>
<td>(1) Cash compensation without land replacement; (2) Land reallocation, with compensation fees going to the collective; (3) Other, specify</td>
<td>90 10 0 0 0 100</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>If you expect cash compensation, what will you do when you receive it?</td>
<td>(1) Secondary and tertiary industries; (2) Work outside; (3) Industrial restructuring; (4) Purchase of insurance; (5) Other, specify</td>
<td>30 50 10 5 5 100</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>What assistance do you expect after land acquisition?</td>
<td>(1) Skills training; (2) Provision of employment information; (3) Other, specify</td>
<td>40 40 20 0 0 100</td>
<td></td>
</tr>
</tbody>
</table>
3.3 Gender survey and analysis

3.3.1 Overview

In order to understand affected women's basic information totally, the group takes the method of interviews, questionnaires and meetings to get familiar with them. Among them, there are no widows, divorced women, abandoned women, and some other reasons which caused women workers as mainly labor force.

3.3.2 Income analysis

Career limits their income, in people's view, farming, doing housework, and taking care of the family is not counted as income, the income from going-out workers are the only income in the family. The results show men’s income which accounts for 68.9% is much higher than women’s 31.1%. So women’s position is very low because of income. Gender income statistic is shown in the table 3-3.

<table>
<thead>
<tr>
<th>Item</th>
<th>Family income</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male ( % )</td>
<td>68.9</td>
</tr>
<tr>
<td>Female ( % )</td>
<td>31.1</td>
</tr>
<tr>
<td>Total</td>
<td>100</td>
</tr>
</tbody>
</table>

3.3.3 Education

The social and economic survey shows that women’s education level was significantly lower than men. The education level statistics is shown in the table 3-4.

<table>
<thead>
<tr>
<th>Education</th>
<th>Female(%)</th>
<th>Male(%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>primary school</td>
<td>26.7</td>
<td>17.6</td>
</tr>
<tr>
<td>junior secondary school</td>
<td>46.7</td>
<td>41.2</td>
</tr>
<tr>
<td>senior / technical secondary school</td>
<td>20</td>
<td>29.4</td>
</tr>
<tr>
<td>college or above</td>
<td>6.7</td>
<td>11.8</td>
</tr>
<tr>
<td>Total</td>
<td>100</td>
<td>100</td>
</tr>
</tbody>
</table>
3.3.4 Career structure

From the view of women’s jobs, they mainly engaged in agriculture and family care, etc. Influenced by traditional cognition and restrict, there are few women as going-out workers. Career structure is shown in the table 3-5.

Table 3-5 Career structure statistics

<table>
<thead>
<tr>
<th>Career</th>
<th>Female ( % )</th>
<th>Male ( % )</th>
</tr>
</thead>
<tbody>
<tr>
<td>Take care of the family</td>
<td>20.0</td>
<td>11.8</td>
</tr>
<tr>
<td>Farmer</td>
<td>53.3</td>
<td>41.2</td>
</tr>
<tr>
<td>Going-out worker</td>
<td>16.7</td>
<td>47.1</td>
</tr>
<tr>
<td>Total</td>
<td>100</td>
<td>100</td>
</tr>
</tbody>
</table>

Remarks : Women has to do both of farmer and take family care, so the proportion have overlap

3.3.5 Willingness

Cash compensation is the resettlement way which everyone can get. Because agriculture income just takes a small part of total income, and after construction, land can be recovered; after cash compensation there will be no negative impact on residents’ income.

3.4 Summary

Resettlement team found that: 1) Construction of this project only requires limited land acquisition, and the lands belongs to nation, no collective land; 2) Land belongs to Yingshang Ship Lock Administrative Office and Yingshang Channel Management and Administrative Office of Water Resources Department of Anhui Province; 3) In affected village(group), farming and other agricultural income just takes small parts of their total revenue, being going-out workers is their main jobs, so income from land just a small part, little relationship with their total income; 4) Most of the affect villagers thinks that the project is useful for our country and people and everyone can take advantages of it, as long as compensation is fair and in time, they all are willing to support this project.
# 4 Legal Framework and Policy Objectives

## 4.1 Legal and policy provisions applicable to resettlement

The resettlement policies for the project are formulated based on WB policies and the applicable laws, regulations and policies of China mainly, including:

<table>
<thead>
<tr>
<th>Policy document</th>
<th>Effective date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Administration Law of the PRC</td>
<td>2004-8-28</td>
</tr>
<tr>
<td>Regulations on the Implementation of the Land Administration Law of the PRC (Decree No.256 of the State Council)</td>
<td>1998-12-27</td>
</tr>
<tr>
<td>Decision of the State Council on Deepening the Reform and Rigidly Enforcing Land Administration (Guo Fa [2004]28)</td>
<td>2004-10-21</td>
</tr>
<tr>
<td>Interim Regulation of the PRC on Farmland Occupation Tax</td>
<td>2008-1-1</td>
</tr>
<tr>
<td>Circular of the State Council on Intensifying Land Control (Guo Fa [2006] No.31)</td>
<td>2006-8-31</td>
</tr>
<tr>
<td>Measures on Public Announcement of Land Acquisition</td>
<td>2002-1-1</td>
</tr>
<tr>
<td>Circular of the Ministry of Land and Resources on Carrying out Proper Compensation for Land Acquisition Practically</td>
<td>2004 MLR Fa No.58</td>
</tr>
<tr>
<td>Decision of the State Council on Amending the Regulation of the PRC on the Administration of Navigable Waterways</td>
<td>2009-1-1</td>
</tr>
<tr>
<td>Circular on Regulating Compensation and Resettlement for Land Acquisition and Arbitrating Disputes over Land Acquisition Properly (ALRD [2007] No.54)</td>
<td>2007-2-15</td>
</tr>
<tr>
<td>Uniform Annual Output Value and Compensation Standard for Land Acquisition of Anhui Province (APG [2009] No.132)</td>
<td>2010-1-1</td>
</tr>
<tr>
<td>Circular on Issuing the Interim Rules for the Appraisal of Demolished urban Houses of Anhui Province (Jian Fang [2004] No.142)</td>
<td>2004-7-1</td>
</tr>
<tr>
<td>Measures of Fuyang Municipality for the Administration of Urban House Demolition (FMG Fa [2002] No.3)</td>
<td>2002-9-21</td>
</tr>
<tr>
<td>Announcement on Benchmark Rates of Cash Compensation for House Demolition on State-owned Land within the Urban Planning Area of Fuyang Municipality in 2009 (FMG Mi [2009] No.20)</td>
<td>2010-1-1</td>
</tr>
</tbody>
</table>
### 4.2 World Bank policy on involuntary resettlement

The implementation of resettlement activities is linked to the implementation of the investment component of the project to ensure that displacement or restriction of access does not occur before necessary measures for resettlement are in place. For impacts covered in para. 3(a) of this policy, these measures include provision of compensation and of other assistance required for relocation, prior to displacement, and preparation and provision of resettlement sites with adequate facilities, where required. In particular, taking of land and related assets may take place only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons. For impacts covered in para. 3(b) of this policy, the measures to assist the displaced persons are implemented in accordance with the plan of action as part of the project (see para. 30).

Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based. These strategies may include resettlement on public land, or on private land acquired or purchased for resettlement. Whenever replacement land is offered, resettlers are provided with land for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the land taken. If land is not the preferred option of the displaced persons, the provision of land would adversely affect the sustainability of a park or protected area, or sufficient land is not available at a reasonable price, non-land-based options built around opportunities for employment or self-employment should be provided in addition to cash compensation for land and other assets lost. The lack of adequate land must be demonstrated and documented to the satisfaction of the Bank.

Criteria for Eligibility. Displaced persons may be classified in one of the following three
groups:

(a) Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);

(b) Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets—provided that such claims are recognized under the laws of the country or become recognized through a process identified in the Resettlement Plan; and

(c) Those who have no recognizable legal right or claim to the land they are occupying.

4.3 Relevant provisions of the Land Administration Law of the PRC

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 10 In lands collectively owned by peasants those have been allocated to villagers for collective ownership according to law shall be operated and managed by village collective economic organizations or villagers' committee and those have allocated to two or more peasants collective economic organizations of a village, shall be operated and managed jointly by the collective economic organizations of the village or villagers' groups; and those have allocated to township (town) peasant collectives shall be operated and managed by the rural collective economic organizations of the township (town).

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;

(3) Other land exceeding 70 hectares.

Article 47 In land acquisition, 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 annual 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.

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 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 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 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.

Relevant provisions of the Regulations on the Implementation of the Land Administration Law of the PRC

Article 25 Municipal, county people's government of the locality whose land has been acquired shall, upon approval of the land acquisition plan according to law, organize its implementation, and make an announcement in the village (township), hamlet whose land has been acquired on the approval organ of the land acquisition, number of the approval document, use, scope and area of the acquired land as well as the rates for compensation of land acquisition, measures for the resettlement of agricultural personnel and duration for processing land acquisition compensation.

Persons of ownership and persons of use right of the acquired land should, within the duration prescribed in the announcement, go to the competent department of people's government designated in the announcement to go through the registration for land acquisition compensation on the strength of land ownership certificates.

The competent departments of municipal, county people's governments shall, on the basis of the approved land acquisition plan and in conjunction with the departments concerned, draw up land acquisition compensation and resettlement plan, make an announcement thereof in the village (township), hamlet wherein the acquired land is located to solicit the views of the rural collective economic organizations and peasants on the acquired land. The competent departments of land administration of municipal, county
people's governments shall, upon approval of the land acquisition compensation and resettlement plan submitted to the municipal, county people's governments, organize its implementation. Where a dispute arises over the compensation rates, coordination shall be carried out by local people's government above the county level; where coordination has failed, arbitration shall be resorted to by the people's government that approved the land acquisition. Land acquisition compensation and resettlement dispute shall not affect the implementation of the land acquisition plan.

Payment of various expenses for land acquisition should be effected in full within 3 months starting from the date of approval of the land acquisition and resettlement plan.

Article 26 Land compensation fee goes to the rural collective economic organization; compensation fee for ground appendices and young crops shall be for the owner(s) of ground appendices and young crops.

Funds earmarked for land acquisition resettlement subsidy must be used for the designated purpose and shall not be diverted to any other purpose. For persons required to be resettled by the rural collective economic organization, payment of the resettlement subsidy shall be made to the rural collective economic organization to be administered and used by the rural collective economic organization; where resettlement is to be arranged by other units, the resettlement subsidy shall be paid to the resettlement units; where no unified resettlement is required, the resettlement subsidy shall be given to the individuals to be resettled or used for the payment of insurance premium for the resettled persons on gaining the consent of the resettled persons.

Municipal, county and village (township) people's governments should strengthen supervision over the use of resettlement subsidy.

Relevant provisions of the Decision of the State Council on Deepening the Reform and Rigidly Enforcing Land Administration

3. Improving the compensation and resettlement system for land acquisition

Improving measures of compensation for land acquisition. County-level and above local people's governments shall take practical measures so that the standard of living of farmers affected by land acquisition is not reduced by land acquisition. Land compensation, resettlement subsidy and compensation for ground annexes and crops shall be paid in full and timely pursuant to law. If the land compensation and resettlement subsidy pursuant to the prevailing laws and regulations are insufficient to maintain the former standard of living of the farmers affected by land acquisition or to pay the social security expenses of farmers who lose all land due to land acquisition, the people's governments of provinces, autonomous
regions and municipalities directly under the Central Government shall approve an increased resettlement subsidy. If the sum of the land compensation and the resettlement subsidy attains the statutory upper limit and is still insufficient to maintain the former standard of living of the farmers affected by land acquisition, local people’s governments may pay a subsidy from the income from compensated use of state land. The people’s governments of provinces, autonomous regions and municipalities directly under the Central Government shall fix and publish the uniform annual output value standards or integrated land prices for land acquisition of all cities and counties, so that the same price applies to the same kind of land. For key construction projects of the state, land acquisition expenses must be listed in the budgetary estimate in full. Compensation rates and resettlement measures for large and medium-sized water resources and hydropower projects shall be otherwise stipulated by the State Council.

Resettling land-expropriated farmers properly. County-level and above local people’s governments shall take specific measures to guarantee long-term livelihoods of farmers affected by land acquisition. For projects with a stable income, farmers may become a shareholder using the right to use of land used for construction approved pursuant to law. Within the urban planning area, local people’s governments shall bring farmers who lose all land due to land acquisition into the urban employment system, and establish a social security system; out of the urban planning area, in acquiring land collectively owned by farmers, local people’s governments shall reserve necessary arable land or arrange appropriate jobs for farmers affected by land acquisition within the same administrative area; farmers without land who do not have the basic living and production conditions shall be subject to non-local resettlement. The labor and social security authorities shall propose guidelines for the employment training and social security systems for farmers affected by land acquisition as soon as possible.

Improving land acquisition procedures. During land acquisition, the ownership of collective land of farmers and the right to contracted management of farmers’ land shall be maintained. Before land acquisition is submitted for approval pursuant to law, the use, location, compensation standard and mode of resettlement of the land to be acquired shall be notified to farmers affected by land acquisition; the survey results of the present situation of the land to be acquired shall be confirmed by rural collective economic organizations and farmers to be affected by land acquisition; if necessary, the land and resources authorities shall organize a hearing in accordance with the applicable provisions. The materials for notification to and confirmation by the farmers affected by land acquisition shall be taken as requisite materials for approval for land acquisition. Accelerate the establishment and
improvement of the coordination and judgment mechanism for disputes over compensation and resettlement for land acquisition to protect the lawful rights and interests of farmers affected by land acquisition and land users. Approved matters of land acquisition shall be disclosed unless in special cases.

Strengthening Supervision over the implementation of land acquisition. If the compensation and resettlement for land acquisition has not been implemented, the acquired land shall not be used forcibly. The People’s governments of provinces, autonomous regions and municipalities directly under the Central Government shall formulate the procedures for the distribution of the land compensation within rural collective economic organizations on the principle that the land compensation is used for rural households affected by land acquisition mainly. Rural collective economic organizations affected by land acquisition shall disclose the receipt, disbursement and allocation of land compensation fees to their members and accept supervision. The agricultural and civil affairs authorities shall strengthen the supervision over the allocation and use of land compensation fees within rural collective economic organizations.

Relevant provisions of the Guidelines of the Ministry of Land and Resources on Improving Compensation and Resettlement Systems for Land Acquisition

Article 1 Compensation rates for land acquisition

Fixation of uniform annual output value multiples. The uniform multiple of annual output value for land compensation fees and resettlement subsidy shall be fixed within the statutory range so that land-expropriated farmers’ standard of living is not reduced; if compensation fees for land acquisition calculated from the statutory uniform multiple of annual output value are insufficient for land-expropriated farmers to maintain their former standard of living or insufficient to cover their social security costs, the multiple shall be increased appropriately with the approval of the province-level people’s government; if an aggregate multiple of 30 for land compensation fees and resettlement subsidy is still insufficient for land-expropriated farmers to maintain their former standard of living, the local people’s government shall allocate a certain proportion from the income from the compensated use of state-owned land for subsidization. For basic farmland occupied with lawful approval, the highest compensation rate announced by the local people’s government shall apply.

Fixation of composite land prices for land acquisition areas. Where conditions permit, the province-level land and resources authority may fix composite land prices for land acquisition for different counties and cities in the province together with other competent authorities, and report such prices to the province-level people’s government for approval,
disclosure and implementation. Such prices shall be fixed in consideration of land type, output value, geographic location, farmland rating, per capita arable area, land supply-demand relationship, local economic level and minimum living security level of urban residents, etc.

Article 2 Mode of resettlement of land-expropriated farmers:

Resettlement for agricultural production. In case of acquisition of farmers’ collective land out of the urban planning area, land-expropriated farmers shall be first provided with necessary farmland using rural collective mobile land, contracted land returned voluntarily by farmers, contracted land turnover and newly added farmland from land development and rearrangement so as to continue with agricultural production.

Resettlement by reemployment. Conditions shall be created positively to provide free labor skills training and jobs to land-expropriated farmers. Under equal conditions, the land user shall first employ land-expropriated farmers. In case of acquisition of farmers’ collective land within the urban planning area, land-expropriated farmers shall be included in the urban employment system, and a social security system established for them.

Resettlement by dividend distribution. For project construction land with long-term stable return, the affected rural collective economic organization may become a shareholder with compensation fees for land acquisition or the approved right to use the land for construction in consultation with the land user on a voluntary basis. The rural collective economic organization and farmers shall obtain proceeds in the form of priority shares under the contract.

Non-local resettlement. If basic production and living conditions are not available to land-expropriated farmers locally, the government may organize non-local resettlement in a unified manner in full consultation with the affected rural collective economic organization and farmers.

Article 3 Working procedures of land acquisition:

Disclosure of information on land acquisition. Before land acquisition is approved, the local land and resources authority shall notify the purpose and location of the land to be acquired, compensation rates and resettlement mode to the affected rural collective economic organization and farmers in writing. After notification, any attachment or young crop built or cultivated by the affected rural collective economic organization and farmers on the land to be acquired temporarily shall not be compensated for upon land acquisition.

Confirmation of land acquisition survey results. The local land and resources authority shall survey the ownership, type and area of the land to be acquired, and the ownership, type and quantity of ground attachments thereon. The survey results shall be confirmed together
with the affected rural collective economic organization, farmers and owners of ground 
attachments.

Organization of land acquisition hearing. Before land acquisition is approved, the local 
land and resources authority shall notify the affected rural collective economic organization 
and farmers the compensation rates and resettlement mode for the land to be acquired, which 
shall have the right to apply for a hearing. If the party concerned applies for a hearing, such 
hearing shall be organized in accordance with the Regulation on Public Hearings of Land and 
Resources.

➢ Relevant provisions of the Measures of Anhui Province for the Implementation of 
the Land Administration Law of the PRC

Article 25 If any organization or individual needs to use land for construction, it shall go 
through land use approval formalities according to law.

Article 27 If any construction project is to occupy state-owned unused land identified in 
the master land utilization plan, except otherwise approved by the State Council, such project 
shall be reported to the provincial people’s government for approval if the occupied area 
exceeds 4 ha or the municipal or county people’s government for approval if the occupied 
area does not exceed 4 ha.

Article 33 Land acquisition shall be handled as follows:

(1) Drafting a land acquisition plan and submitting it for approval. The land 
administrative authorities of a municipal or county people’s government shall draft a plan for 
use of farmland for other purposes, a farmland replenishment plan, a land acquisition plan and 
a land supply plan to the municipal or county people’s government for approval, and escalate 
them to people’s governments with approval authority for approval. In case of acquisition of 
woodland, the consent of the woodland administrative authorities shall be obtained in advance.

(2) Announcement of land acquisition plan. After the land acquisition plan has been 
approved according to law, the municipal or county people’s government shall disclose the 
approval authority, approval document number, acquired land’s use, range and area, land 
compensation rates, resettlement measures of agricultural population and deadline of land 
compensation in the affected township and village.

(3) Compensation registration. The owner and user of the acquired land shall go 
through the land compensation registration formalities carrying the certificate of land 
ownership or any other valid certificate with the competent authority for land administration 
of the municipal or county people’s government within 15 days of announcement.
(4) Announcement of land compensation and resettlement program. The competent authority for land administration of the municipal or county people’s government shall draft a land compensation and resettlement program together with other competent authorities according to the approved land acquisition plan, and publish it in the affected township and village to collect comments from the affected rural collective economic organization and farmers for a period of 15 days; after the land compensation and resettlement program has been approved by the municipal or county people’s government, it shall be implemented by the competent authority for land administration of the municipal or county people’s government. If there is any dispute over the compensation rates, such dispute shall be mediated by the county level or above people’s government; failing this, such dispute shall be arbitrated by the people’s government approving land use.

(5) Handover of the acquired land. All land acquisition costs shall be paid in full within 3 months of approval of the land compensation and resettlement program. The owner and user of the acquired land shall hand over the acquired land within 30 days of payment.

In case of acquisition of farmer contracted land, the land contract change formalities shall be settled according to law……

Article 34 Land compensation standards for acquisition of land other than arable land:

(1) For fishponds, etc., 6 times the annual average output value of the preceding 3 years;

(2) For orchards, etc., 7 times the annual average output value of the preceding 3 years; in case of no harvest, 6 times the annual average output value of similar land of the preceding 3 years;

(3) For reclaimed land which has been cultivated for less than 3 years, 3-4 times the annual average output value of the arable land of the same village (team) of the preceding 3 years; for reclaimed land which has been cultivated for 3 years or more, the same as arable land;

(4) Land used for construction collectively owned by farmers, 4-5 times the annual average output value of the arable land of the same village (team) of the preceding 3 years;

(5) For other land, 2-3 times the annual average output value of the arable land of the same village (team) of the preceding 3 years. The compensation standards for woodland shall be governed by the applicable laws and regulations.

Article 35 Resettlement subsidy standard for every farmer to be resettled:

(1) For acquisition of farmland, 3-4 times the annual average output value of the preceding 3 years;
(2) For land used for construction collectively owned by farmers, 2-3 times the annual average output value of the arable land of the same village (team) of the preceding 3 years;

For barren hills and slopes, no resettlement subsidy is paid.

Article 36 If the farmers to be resettled are unable to maintain their former standard of living, with the approval of the provincial people’s government, the resettlement subsidy may be increased. However, the sum of the land compensation and the resettlement subsidy shall not exceed 30 times the annual average output value of the preceding 3 years of the acquired arable land.

Depending on social and economic development, the provincial people’s government may increase land compensation and resettlement subsidy rates for land other than farmland in special circumstances. ……

Article 37 Compensation rates for young crops and attachments on the acquired land:

(1) Young crops on the acquired farmland shall be compensated for at the output value of the current season; perennial crops shall be compensated for at annual output value; no compensation shall be granted if there is no young crop.

(2) No compensation shall be granted if fish fries have been bred for 2 years or more; the compensation shall be 3-4 times breeding costs if fish fries have been bred for less than 2 years.

(3) Timber forests, shelter forests and special-purpose forests with an average trunk diameter of over 20cm shall be compensated for at 10%-20% of the value of the actual volume; those with an average trunk diameter of 5-20cm shall be compensated for at 60%-80% of the value of the actual volume.

(4) Nursery stocks, economic forests and firewood forests shall be compensated for at twice the annual average output value of the past 3 years; those without output value yet shall be compensated for at twice the actual investment in forestation. Sapling forests and new forests shall be compensated for at twice the actual investment.

(5) The compensation rates for houses and other attachments shall be stipulated by the provincial people’s government.

Article 38 Where state-owned farming, forestry, stockbreeding or fishery land is approved for nonagricultural construction, such land shall be compensated for by reference to Article 47 of the Land Administration Law and Articles 34 and 37 of these Measures.

Article 42 After the farmland of a rural collective economic organization has been acquired and all its members have been turned into urban residents, the remaining land shall
be owned by the state and used by the former rural collective economic organization; when such land is occupied by any construction project, the former rural collective economic organization shall be compensated according to the measures and criteria for land acquisition.

Article 43 One rural household can have one housing site only.

The housing site area for residential house construction by rural residents shall be as follows:

(1) Not more than 160 m$^2$ per household for suburbs, rural towns and markets;

(2) Not more than 220 m$^2$ per household for the Huaibei Plain; and

(3) Not more than 160 m$^2$ per household for mountain and hilly areas; not more than 300 m$^2$ per household if barren mountain or land is used for residential house construction.

Article 44 A rural resident who meets one of the following conditions may apply for the use of housing site:

(4) Its former housing site has been acquired according to law;……

- Relevant provisions of the Uniform Annual Output Value and Compensation Standard for Land Acquisition of Anhui Province

1. From January 1, 2010, land compensation fees and resettlement subsidy for collective land acquired within the administrative region of the province shall be subject to the new land compensation rates. Compensation rates for large and medium-sized water resources and hydropower projects shall be otherwise stipulated by the State Council. Municipal and county people’s governments may increase their land compensation rates for special types of land based on local conditions.

2. The use of state-owned farm (tree farm, pasture or fishery) land shall be subject to the land compensation rates of the area of the relevant township or sub-district; if there are multiple areas around such farm (tree farm, pasture or fishery), the highest rates of the surrounding areas shall apply.

- Relevant provisions of the Measures of Fuyang Municipality for the Basic Endowment Insurance of Land-expropriated Farmers

Article 3 People of the agricultural status in household registration who have lost all contracted land or have a per capita arable area of less than 0.3 mu after land acquisition pursuant to law, having attained 16 years of age upon land acquisition and having not effected the basic endowment insurance of urban workers may cover the basic endowment insurance of land-expropriated farmers voluntarily.
Article 4 The basic endowment insurance of land-expropriated farmers shall be subject to the principles of insurance upon acquisition, insurance before acquisition and no approval of land acquisition without securing social security costs.

Article 6 Endowment insurance funds for farmers land-expropriated farmers consist of unified funds and personal account funds, and shall be used specifically for the basic endowment insurance of land-expropriated farmers……

Article 12 ……When the insured attains the age of 60 years for men and 55 years for women, he/she can receive the basic endowment insurance benefit on a monthly basis from the following month.

4.4 Main differences between World Bank policies and laws of the PRC

Compensation for resettlement of vulnerable groups

- Difference: World Bank policies require that special compensation is granted to all vulnerable groups, especially seriously affected households faced with pauperization. In Chinese compensation policies, compensation is based only on the quantity of loss.

- Solution: Special funds are available to assist the vulnerable groups, who will be identified during the detailed survey.

Consultation and disclosure

- Difference: World Bank policies require the affected people are aware of all relevant information, and consulted with as soon as possible. Although there are measures on public announcement of land acquisition in China, the disclosure period is usually so short that the affected people cannot participate effectively.

- Solution: Consultation has begun at the early stage (before and during technical assistance). The PMO agrees to disclose the Resettlement Plan and provide the Resettlement Brochure to the affected people as required by World Bank.

Lack of legal title

- Difference: World Bank policies require all demolished houses, whether lawful or unlawful, shall be compensated for at the same standards. According to Chinese laws, no compensation shall be provided for the acquisition of land and houses of unlawful owners.

- Solution: For World Bank financed projects, all affected people, whether lawful or unlawful, whether having ownership or right to use, will be protected before the
cut-off date.

Resettlement monitoring, evaluation and reporting

- Difference: World Bank requires internal and external resettlement monitoring. However, there is no such requirement in Chinese laws, expect for reservoir projects.

- Solution: Internal and external resettlement monitoring systems have been established for all World Bank financed projects, and have been included in the Resettlement Plan.

4.5 Resettlement policies of the Project

The resettlement policies applicable to the Project have been formulated in accordance with the policies of the PRC, the Anhui Provincial Government, the Fuyang Municipal Government and the World Bank on resettlement.

For the purpose of the Project, no alteration shall be made to the relevant policy provisions, criteria for eligibility for entitlement, property appraisal criteria and compensation rates without the approval of the World Bank.

According to the existing project design, the main impacts of the Project are land acquisition/occupation and house demolition, etc. The following policies apply to the project impacts.

4.5.1 Policy for permanent acquisition of state-owned land

From designing drawings, the state-owned land is the land of Yingshang 2nd Ship Lock, and land belongs to Yingshang Ship Lock Administrative Office and Yingshang Channel Management and Administrative Office of Water Resources Department of Anhui Province, so no need to get new authorization.

4.5.2 Compensation and restoration policies for temporary land occupation

Temporary occupation of rural collective land shall be compensated for based on the purpose and loss occurred during occupation. Compensation fees for temporary land occupation include young crop/ground attachment compensation fees, and land reclamation fees.

Land occupied temporarily by the Project includes land occupied temporarily by construction sites and spoil grounds, mainly spoil grounds. These grounds chosen for spoil disposal are mostly low and barren land and its elevation will be increased after disposal fill. In addition, fertile river bottom soil can improve the fertility of the temporarily occupied land.
and eliminate the need for recovery. Therefore, in theory recovery cost should not be included when calculating compensations. In practice for the land occupied temporarily by construction sites, compensation fees include young crop/ground attachment compensation fees and land recovery fees.

To reduce the impact of land acquisition on young crops, the Project will be constructed after harvesting or before sowing as the case may be, subject to a one month prior notice to affected farmers.

No compensation fees shall be calculated for temporary occupation of state-owned land. Demolished ground attachments shall be compensated for at replacement cost or restored by the PMO according to the former standard and size under the project budget.

4.5.3 Compensation policy for vulnerable groups

In addition to the above policies, vulnerable groups affected by the Project are also entitled to some other preferential policies:

➢ If any displaced person is incapable of work, has no means of living or statutory supporter, the village committee shall assist him/her in building a house or send him/her to an old people’s home.

➢ Labor in households falling into vulnerable groups shall be provided with occupational training, job information and guidance to increase their job opportunities.

➢ During project construction, children of households falling into vulnerable groups shall be first recruited to do unskilled jobs.

➢ The agency responsible for relocation shall do its best to aid and support the relocation of households falling into vulnerable groups.

4.5.4 Compensation policy for affected infrastructure and ground attachments

Special facilities affected by the Project will be compensated for or rebuilt as required according to the former function, size and standard under the project budget.

All ground attachments affected by the Project will be compensated for directly to their owners at replacement cost.

4.6 Compensation rates

4.6.1 Compensation rates for acquisition of state-owned land

The compensation rates for acquisition of collective land have been fixed according to the Land Administration Law of the PRC, the Guidelines on Improving Compensation and
Resettlement Systems for Land Acquisition, the Measures of Anhui Province for the Implementation of the Land Administration Law of the PRC

Table4-1 Compensation Standards for Collective Land Acquisition

<table>
<thead>
<tr>
<th>Xiang/Town</th>
<th>Output value (yuan/mu)</th>
<th>Farmland</th>
<th>Construction land and unused land</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Land subsidy multiple</td>
<td>Resettlement subsidy multiple</td>
</tr>
<tr>
<td>Shencheng</td>
<td>1600</td>
<td>8</td>
<td>16</td>
</tr>
</tbody>
</table>

The compensation for young corps is 800yuan/mu.

4.6.2 Compensation rates for temporary land occupation

According to the provisions of the state, Anhui Province on temporary land occupation, compensation fees for temporary land occupation include young crop/ground attachment compensation fees and land recovery fees. Land occupied temporarily by the Project is occupied for the period of spoil disposal.

- Temporarily occupied land shall be compensated for based on the period of occupation and the annual output value of land. Compensation standards is 1500yuan/mu.
- Land recovery fees are 6 yuan/m², but excluding unused land when acquired.

4.6.3 Other costs

The rates for other land acquisition and house demolition costs of the Project are shown in Table 4-2.

Table 4-2 Compensation rates for other costs

<table>
<thead>
<tr>
<th>No.</th>
<th>Item</th>
<th>Charging standard</th>
<th>Basis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Farmland occupation tax</td>
<td>2yuan/m²</td>
<td>AER [2008] NO.367</td>
</tr>
<tr>
<td>2</td>
<td>Land recovery fees</td>
<td>6 yuan/m²</td>
<td>AEC[2001] NO.1061</td>
</tr>
<tr>
<td>3</td>
<td>Land acquisition management fees</td>
<td>4% of total basic resettlement costs</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Water resources fund</td>
<td>500 yuan/mu</td>
<td>APG [2012] NO.54</td>
</tr>
<tr>
<td>No.</td>
<td>Item</td>
<td>Charging standard</td>
<td>Basis</td>
</tr>
<tr>
<td>-----</td>
<td>---------------------------</td>
<td>-------------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>5</td>
<td>Construction land using fee</td>
<td>16 yuan/m²</td>
<td>EC[2006] NO.48(Nov.7th,2006)</td>
</tr>
</tbody>
</table>

4.6.4 Vulnerable groups

In addition to the above compensation policy for land acquisition, the vulnerable groups affected by the project are also entitled to some other preferential policies:

(1) Vocational training will be given to the labor force in the households of vulnerable groups, and employment information and guidance will also be provided to increase their job opportunities;

(2) During the construction of the project, the labor force in the households of vulnerable groups will be given priority to in the recruitment for unskilled jobs;

(3) A special supporting fund will be set up in cooperation with the labor and social security authorities of Yingshang County to provide fund assistance.
5 Resettlement and Income Restoration

5.1 Purpose of resettlement

The purpose of resettlement of the project is to design a resettlement and restoration action plan for the people affected by the project, so that they benefit from the project, and their standard of living is improved or at least restored after the completion of the project.

5.2 Principles of restoration plan

Recovery of production and income

1) Respect to the willingness of affected people, keep their customs in production and living;

2) Production and Livelihood Restoration Programs for Displaced Persons is based on demolition effects, employing in compensation standards of demolition;

3) Using all kinds of environmental protection method to make sure sustainable development;

4) Make sure improving the living standards of vulnerable groups.

5.3 Restoration plan

5.3.1 Resettlement and restoration plans for affected villages

Land acquisition involves 1 village and 3 communities. Based on the investigation, this project involves farmland 6046 mu in 3 communities, per capita cultivated land is 0.32 mu/per. This project has no agricultural land acquisition; just has temporarily collective land occupation. Land acquisition is less than 8.39%. Therefore, land acquisition has little impact on the agricultural production and income of the rural households.

According to the survey of the willingness for resettlement of all households, all affected households require cash compensation, and will use the compensation fees for business, crop cultivation, stockbreeding and skills learning mainly.

In our field survey, almost all affected rural households welcome the project; the affected households think the project can improve the traffic conditions and make their production and life more convenient. All affected households require cash compensation for land acquisition, because this method is simple to operate. The affected rural households can use the compensation fees for production and livelihood restoration freely.
5.3.2 Restoration plan of mildly affected community

To Villager group of mildly affected community, cash compensation will be used. Compensation fee will according to the national and local policies strictly, and then determine the amount and compensation standard, finally directly compensation will be paid to villager.

Based on interviews with affected people, specific compensation is as follows: 1) Cash directly issued to villager, those people who meet the requirements of land-loss farmers endowment insurance, they can join; 2) compensation for ground attachments and young crops belongs to the owner.

5.4 Restoration program for temporarily occupied land

Temporary land occupation mainly involves low land for spoil grounds, as far as possible to avoid cultivated land, low land mainly found at swamps and unused land. Spoil grounds of this project belong to state-owned wasteland, it located in southeast of floodgate which land is low-lying land.

Spoil disposal can help reduce the workload of river bank protection, after restoration, it can increase productivity.

5.5 Restoration plan for infrastructure

The affected special facilities and ground annexes will be compensated for by the implementing agencies to property owners, and then restored by property owners.

The restoration measures for demolished facilities must be planned in advance. In practice, these measures should be tailored to practical conditions, be safe, efficient, timely and accurate, and minimize adverse impacts on the nearby residents.

In addition, for the production and living facilities affected by the project, the design agency conducted an extensive survey of the project’s possible impacts on the production and livelihoods of the local residents in the form of discussion and questionnaire survey at the survey and design stage to collect opinions from the local people’s governments, competent authorities, social organizations and local residents. These opinions have been mostly embodied in the project design. Based on field exploration, the design agency took appropriate engineering measures for the affected production and living facilities at the design stage.
6 Public Participation, Complaints and Appeals

6.1 Public Participation

In order to protect the lawful rights and interests of the displaced persons, reduce disputes and complaints, this project focused on listening. We know that it is necessary to conduct public participation at the preparation and implementation stages of the project.

6.1.1 Participation at the preparation stage

Since June 2013, under the direction of the technical assistance and consultation experts, the survey team of Anhui Provincial Port&Shipping Construction Investment Group Co., LTD and Anhui Communications Vocational and Technical College (ACVTC) have conducted a series of social and economic surveys and public opinion consultations (with 30% being women). At the preparation stage, the PMO, the implementing agencies and the design agency conducted extensive consultation on land acquisition and resettlement. The participation activities at the preparation stage are shown in Error! Reference source not found..

Table 6-1 public consultation at the preparation stage

<table>
<thead>
<tr>
<th>Date</th>
<th>Organizer</th>
<th>Participants</th>
<th>Number</th>
<th>Purpose</th>
<th>Key opinions and details</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013.5~2013.11</td>
<td>consulting company</td>
<td>Affected people, village officials, engineering technicians</td>
<td>200</td>
<td>Feasibility study, field visit, preliminary impact survey</td>
<td>Introduction to the background and objectives of the project Minimizing the occupation of arable land in site selection Minimizing impacts on the displaced persons in road routing</td>
</tr>
<tr>
<td>2013.10~2013.11</td>
<td>ACTVC</td>
<td>Government departments concerned and villagers’ representatives</td>
<td>35</td>
<td>Preparation for the Resettlement Plan</td>
<td>Confirming demolition number</td>
</tr>
<tr>
<td>2014.5~2014.6</td>
<td>ACTVC</td>
<td>Government departments concerned and villagers’ representatives</td>
<td>35</td>
<td>Preparation for the Resettlement Plan</td>
<td>Confirming compensation of land acquisition and demolition</td>
</tr>
</tbody>
</table>
Form investigation, displaced people focused on:

(1) Fair compensation which according to national policies;

(2) All kinds of compensation fully paid;

(3) Living supports;

Since the preparation works of this project began in 2013, the project experts have done investigations and some other works, details are as follows:

From Oct. 2013 to Nov. 2013, Anhui Provincial Port&Shipping Construction Investment Group Co., LTD invited resettlement group of ACVTC and designing company to do some surveys about the type and quantity of land acquisition, listened to suggestion and opinion of officials and affected people about compensation and income restoration plan. These suggestion and opinions already collected in this plan; ACVCT did investigations by doing interviews and symposium with local officials and affected people, got to know their response to this project, ACVTC also listened to their suggestion and opinions. The participants includes: Mayor of Yingshang County, office director, Civil Affairs Bureau, agriculture commission, Human Resources and Social Security Bureau, RTA, the township government, village committee, women’s union and other departments.

In Oct. 2013, WB investigation group answered villagers’ questions of resettlement plan and policies in the field. Village officials get trained by them. WB experts and Yingshang County officials shared and took each other’s suggestion and opinions.

From Oct., 2014 to Nov., 2014, Anhui Jiaoyuan Project Management co., Ltd investigation experts did a field survey; they also took a symposium with affected people. They talked about villagers’ intension, plan and living situations. The villagers all support this project.
6.1.2 Public participation process and policy disclosure plan

With the progress of preparation and implementation, the implementing agencies will conduct further public participation. The public participation arrangements are shown in Table 6-2.

Table 6-2 Public participation process and policy disclosure plan

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Mode</th>
<th>Time</th>
<th>Unit</th>
<th>Participants</th>
<th>Topic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Determination and implementation of income restoration plan</td>
<td>Village meeting (many times)</td>
<td>Before implementation</td>
<td>Yingshang County PMO, highway bureau and land &amp; resources bureau, town and village officials</td>
<td>All affected people</td>
<td>Discussion of the final income restoration plan and the plan for use of compensation fees</td>
</tr>
<tr>
<td>Training plans</td>
<td>Village meeting</td>
<td>Nov.2013-Dec.2013</td>
<td>Local labor bureau, town and village officials</td>
<td>All affected people</td>
<td>Discussion of training needs</td>
</tr>
</tbody>
</table>
| Monitoring                                   | Village participation | Nov.2014-Dec.2016 | town and village officials | All affected people | 1) resettlement progress and impacts  
2) compensation disbursement  
3) information disclosure  
4) livelihood restoration and housing relocation |

6.2 Complaints and appeals

Since the resettlement work is conducted with the participation of the affected people, no substantial dispute will arise. However, to ensure that the affected people have a channel to file an appeal on any issue concerning land acquisition and resettlement, a 5-stage grievance redress mechanism has been established in the Resettlement Plan:

Stage 1: If any displaced person is dissatisfied with the Resettlement Plan, he/she can report this to the village committee or sub-district resettlement office orally or in writing. In case of an oral appeal, the village committee or sub-district resettlement office shall handle such appeal and keep written records. Such appeal should be solved within 2 weeks.

Stage 2: If the displaced person is still dissatisfied with the disposition of Stage 2, he/she may file an appeal to Yingshang County PMO. After receiving such disposition, such appeal should be responded within 2 weeks.

Stage 3: If the displaced person is still dissatisfied with the disposition of Stage 3,
he/she may escalate the appeal to Anhui province PMO, after receiving such disposition for arbitration. Such appeal should be responded within 2 weeks.

In above stages, affected people also can sue in the courts based on civil procedure act.

Affected people can appeal to WB, and WB will handle these complaints. If the displaced person is still dissatisfied with the disposition of WB, he/she can make a complaint to specific manager or department.

All complaints (oral and written) will be report to WB in internal and external monitoring reports.

All agencies concerned will accept the affected people’ complaints and appeals free of charge, and all costs reasonably incurred will be disbursed from the contingency expenses of the project. At the whole construction stage, this appeal procedure will remain effective so that the affected people can use it to solve relevant issues. The above appeal channel and the right of appeal will be notified to the displaced persons through the participation process at a public meeting and the resettlement information booklet. In the meantime, appeal proceedings will be published to the affected population people through media.

Table 6-2 Contact information of appealing receiver

<table>
<thead>
<tr>
<th>Appeal channel</th>
<th>Contact</th>
<th>Telephone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shencheng Town government</td>
<td>Liu Section Chief</td>
<td></td>
</tr>
<tr>
<td>Yingshang County PMO</td>
<td>Wangfu Vice Director</td>
<td></td>
</tr>
<tr>
<td>Anhui province PMO</td>
<td>Wu Fei</td>
<td>0551-63756191</td>
</tr>
</tbody>
</table>
7 Resettlement costs and sources of funds

7.1 Budget

All costs incurred during land acquisition and resettlement will be included in the general budget of the Project. The Project’s resettlement costs include compensation fees for permanent and temporary land occupation, demolition of houses and ground attachments, relevant taxes and unexpected cost.

The total budget in resettlement is 8.0789 million yuan. Of the total resettlement costs, the costs for acquisition of state-owned land are 4.4582 million yuan (51.19%); Costs for temporary land occupation are 2.2835 million yuan (26.22%); Compensation costs for young corps is 0.406 million yuan (4.66%); Compensation costs for demolition of attachments is 0.7695 yuan (8.84%); and unexpected cost are 0.7917 yuan (9.09%).

7.2 Management and disbursement plan of resettlement funds

To ensure that the resettlement funds are in place timely and fully, and to ensure the restoration of the production, livelihoods and income level of the affected rural households, the following measures will be taken:

- All costs related to resettlement will be included in the general budget of the Project.
- The land compensation and the resettlement subsidy will be paid in 7 days after land acquisition so that all affected people can be resettled properly.
- To ensure the successful implementation of land acquisition and resettlement, and to ensure that all funds are disbursed on schedule, all levels financial and supervisory organization will be established.
- Budget is a cost estimate, due to the actual changes of the project, and based on the actual influence of detailed measurement survey (DMS), the changes of compensation and inflation factors, cost will be increased, but the implementing agencies will guarantee to pay compensation. Take unexpected expenses into consideration, and according to the need to use and modify.