

World Bank Financed Project–  
Yangqiao Ship Lock of Fenquan  
River in Shaying Shipping Lane

# Resettlement Action Plan

**Institute of Resettlement in Anhui  
Communications Vocational & Technical College**

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# 1 Overview

## 1.1 Background and Description

### 1.1.1 Background

Yangqiao Ship Lock of Fenquan River located in Yangqiao Town of Linqun County, 26km from Linqun downtown. Ship Lock is standing above Quan River, with Hongqiao Floodgate, to Houhan Sluice Gate is 36km, to Fuyang Sluice Gate is 54km. Quan River is one of the main branches of Ying River, it originates from Linzhao Village of Yanchen County in Henan Province, and there is a combination in Hongshanmiao Village of Shenqiu County, the part which is located above the combination is called Fen River, and the other part is called Quan River, so the total river is called Fenquan River. This river is running through Yancheng, Shangshui, Xiangcheng and Shenqiu which are in Henan Province, and Linqun County and Fuyang Municipality which are in Anhui province. Finally it enters into Ying River. Quan River has 82.27km in Anhui Province, and the area is about 1990 sq.km. The main branches of Quan River are Ni River, Liuan River and Xian River. Yangqiao Ship Lock has been given permission to start construction by Anhui Planning Committee in Jun. 1986, the level of Ship lock is VI & 100ton; Size is 100\*7.5\*2.0m; Loading level is one million ton. It has finished in Oct. 1988 and come into service. The river loading in 1990 is 84,000ton, decreasing to 36,000ton in 1994. Because the width of lock's door is small, few ships passed it. Now the loading level is about 60,000~70,000ton, some years just more than 10,000ton.

Because there is no train in Linqun County, and the capacity of river transportation is poor, these two reasons led to the overcapacity of highways, it cannot meet the needs of development. It is essential to improve the capacity of river transportation. Quan River is the largest branch of Shaying River, Yangqiao Ship Lock is put into use in 1980s, and the level is VI & 100ton. In the year of 1998~2005, the results of Fen River improvement project has increased the condition of shipping lane, but also the reason of width, high-level ships cannot pass the Ship lock, the only can do is ship to the bottom of floodgate and using vehicle for delivery, the cost is very expensive through this kind of transferring method. Meanwhile, this situation cannot adapt to the trend of ship development, Quan River is like useless.

Anhui Jin Coal Zhongneng Chemical Industry Co.Ltd (Linqun Chemical Company)

developed very well, so they need to import a lot of coals, and export chemical fertilizer and chemical products. Now all the things need to transfer from ship to vehicle back and forth, the cost is high. To save money, the company has suggested constructing Linquan train line, but this project has been suspended by some unknown reasons. To alleviate road transportation, and driving economic development, especially to solve the problem of river transportation, it is necessary to enlarge Yangqiao Ship Lock and increase the capacity of Quan River.

### 1.1.2 Composition of the project and identification of displaced persons

In May 31<sup>st</sup>, 2013, Anhui Development and Reform Commission hold an evaluation meeting in Hefei which is about “Preliminary Design of Extension Project of Yangqiao Ship Lock in Fenquan River”, in July 3<sup>rd</sup>, 2013, the project has been authorized. Based on the document, it has confirmed that the level is IV, and depth and width meet the needs of ships which are loaded 500ton and 1000ton. Based on ships’ shape, capacity and future development, the floodgate’s scale is confirmed as 200\*13.0\*13.5m(length\*width\*depth), constructed as single line and single level ship lock. The location of Yangqiao Ship Lock is shown in map 1-1.



Figure 1-1 Location of Yangqiao Ship Lock

Resettlement Impacts is shown in Table 1-1.

Table 1-1 Identification of Scope of Construction and Resettlement Impacts



item	Affected Village/Company	Length(meter)	Main resettlement impact
1	Laojie Village in Yangqiao Town	200	Land acquisition is 10.6 mu ; demolition is 190 m <sup>2</sup> , affected 10 people of 4 households

### 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 the demolition, involving 1 town and 1 village of Linqun County of Fuyang Municipality in Anhui Province. 0.6 mu of collective land will be acquired; rural residential houses of 190 m<sup>2</sup> have been demolished, affecting 4 households with 10 people. Permanent national land occupation in floodgate administration is 10 mu; Temporary national land occupation is 150 mu; 7 types of infrastructure and ground annexes will be affected. Effects of resettlement are shown in Table 1-2.

Table 1-2 Effects of resettlement

County/City			Linqun County	
Xiang/Town			Yangqiao Town	Remarks
Village(per)			1	Laojie Village
Villager Groups			1	Wanggaozhuang Village
Permanent collective land occupation (mu)			0.6	Not being utilized constructed land
Permanent national land occupation (mu)			10	Land of floodgate administration
Temporary land occupation (mu)			150	National Land
Villager Demolition (m <sup>2</sup> )			190	House type : appendant
Affected people	Just Demolition	Househods(per)	4	
		Population(per)	10	
	Total	Househods(per)	4	
		Population(per)	10	
infrastructure	380v High-pressure pole ( per )		10	
	220v pole ( per )		5	
	Guarding Monitor		1	

## **1.2 Social and economic benefits**

The social and economic benefits of the project are as follows:

1. Improving the traffic conditions of residents.
2. Improving road and Shaying river network systems, enhancing the capacity of transferring and distributing goods between water and land.
3. Strengthening the connection in transportation and economy of Yangtze River delta area, turning the style of economy in Linquan County to export oriented economy.

## **1.3 Investment estimate and implementation plan of resettlement**

The construction investment in the project is about 161,665,100 yuan. It will come from three sources: Loans from World Bank, Anhui Provincial Port & Shipping Construction Investment Group Co., LTD and Linquan Government. The Budget of land occupation and resettlements is 1.457 million yuan, accounting for 0.9%, which belongs to national counterpart funding. The overall construction period of the project is 2 years. The Resettlement Implementation Plan will be implemented from Aug. 2014 to Dec. 2012.

# **2 Impacts of the Project**

## **2.1 Measures to avoid or minimize land acquisition and house**

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;
- 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 and 1 administrative village (neighborhood committees, communities), 10 people out of 4 households. The resettlement impacts include permanent collective land occupation 0.6 mu, permanent national land occupation in floodgate administration is 10 mu; house demolition is 190m<sup>2</sup>. Temporary land occupation is 150 mu.



*Figure 2-1 Affected attached structures*



*Figure 2-2 Affected infrastructure*

### **2.3 Methods and process of survey**

The group of Anhui Communications Vocational & Technical College 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 immigration influence and optimizing the project design. And through the way of random selection and distributed 10 questionnaires surveys of resettlement willingness to affected people; the group also

had 5 meetings with accountant, leader and representatives of village.

In May, 2009, 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 “Extension Project of Yangqiao Ship Lock in Fenquan River”.

From May 2014, the group of Anhui Communications Vocational & Technical College conducted a sampling survey of the social and economic conditions of the affected areas and the rural households affected by land acquisition and house demolition according to the feasibility study report. The survey covered household population (100%), 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 involved permanent collective land occupation, house demolition and temporary land occupation. 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 land acquisition, they could cultivate the remaining land and prefer to cash compensation.
- 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 collective land and impact analysis**

### **2.4.1 Permanent acquisition of collective land**

The acquisition of collective land involves 1 Xiang/Town and administrative village. 0.6 mu of collective land has been acquired, affecting 4 households with 10 persons

directly, and the land type is unused construction land.

#### 2.4.2 Impact analysis of acquisition of collective land

According to statistics and construction drawing, this project includes elevating roadbed, slope setting design. 0.6 mu will be acquired, and the land type is unused construction land which agricultural land is not included.

In sum, the land acquisition of the project has little impact on the regular agricultural production and agricultural income of the rural households, and also on the gross income of the farmers.

### 2.5 Permanent acquisition of national land and impact analysis

This project is to reconstruct old ship lock, permanent land acquisition is 10 mu, the area belongs to Yangqiao Ship Lock Administration, which is national land. No new land acquisition, neither household nor resident.

### 2.6 Temporary land occupation

The temporary land belongs to national land, land occupied temporarily during the construction period mainly used for sand and stone yards. 150 mu will be acquired in the construction; excavation land minus filling land is 360,000 cubic meter. One part uses for filling the cofferdam, the others puts into spoil ground, spoil ground will in the low southwest area of Yangqiao Floodgate.

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

### 2.7 Attached structure demolition in rural area

The total demolished attached structure is 190m<sup>2</sup>, belonging to 4 households with 10 people. These structures were mainly used for storage.

Details are shown in Table 2-1.

Table 2-1 Summary of Rural Residential Houses Affected by Demolition

Xiang/Town	Village	structure demolition ( m <sup>2</sup> )			Affected population	
		Simple	Subtotal	Households	Population	Households
Yangqiao Town	Laojie	190	190	4	10	4

	Village					
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## 2.8 Affected population

The project will affect 10 people out of 4 households; no temporarily affected people. The population affected by the project is shown in Table 2-2.

Table 2-2 Summary of Affected Population

County/City			Lianquan County		
Xiang/Town			Yangqiao County	Subtotal	Remark
Village			1	1	
Affected Population	Just demolition	Households	4	4	Affiliated house
		Population	10	10	

## 2.9 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.

## 2.10 Residents travel plan

During construction, the original lock will be demolished. In the design phase stage, makeshift road for construction is included. The length of makeshift road is 346.5 meters, width of roadbed is 6.5 m, width of road is 5.0 m, the original ship lock is about 140 meters in length, residents travel around increases about 200 meters, the impact on the residents can be neglected.

Before project implementation, Yang Qiao ship locks is an unsafe bridge, large vehicles is forbidden to pass. The makeshift road will be able to meet the needs of large vehicles, and it is convenient to transport construction materials and other resources, the transportation condition of residents will be improved. Residents travel plan is shown in Figure 2-3

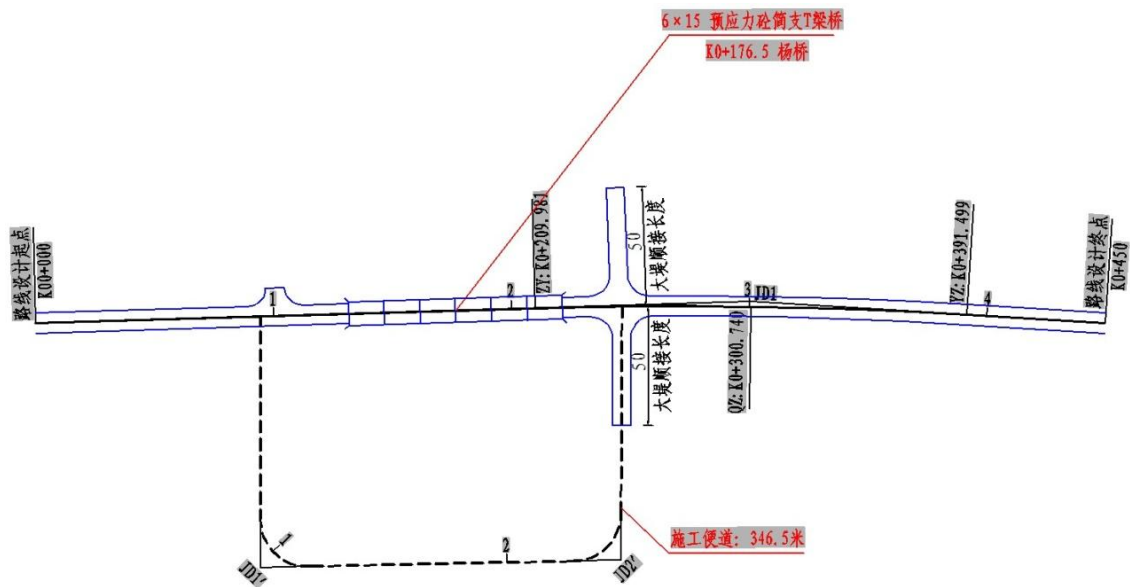


Figure 2-3 Residents travel plan

### 3 Socio-economic Overview of the Affected Areas

Laojie Administrative Village and Wanggaozhuang Village of Yangqiao Town, Linquan County in Fuyang Municipality were involved in this project.

#### 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 km<sup>2</sup> 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<sup>1</sup>, 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 Socio-economic overview of the affected counties

**Linquan County** Linquan 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 km<sup>2</sup> and a population of 2.3 million (in the end of 2011). Linquan 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 billion yuan, increased by 36.8%, with sales by 104.7%; Industrial comprehensive benefit index of 261%.

**Yangqiao County** It located 15 km far from eastern of Linquan County, which is a historical area, enjoys an advantaged geographic location and convenient traffic. The total area is 71km<sup>2</sup>, downtown area is 45km<sup>2</sup>; 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 Socio-economic profile of affected villages

The project will affect Laojie Administrative Village. It is in the middle class of all villages. The main incomes of villager are being migrant workers and doing agricultural works. A per capita arable area is 0.33mu. The reason of few agricultural lands is taking space on water conservancy in 1950s. Such as Quan River, Yangqiao Ship Lock and Yangqiao Sluice Gate.

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

Xiang/Towm	Village (Community)	Households	Population	Men	Labor force	Arable area (mu)	Per household population	Per capita arable area (mu/person)	Per capita net income of farmers (yuan/person)
Yangqiao Town	Laojie Administrative Village	927	3372	2114	1996	1117	3.64	0.33	4210
Yangqiao Town	Wanggaozhuang Village	345	1276	759	621	412	3.7	0.32	4180

## 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 10 households, which includes directly 4 households and indirectly 6 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 10 surveyed households have a total population of 32, a total labor force of 24, and total agricultural labor force is 24, accounting for 100% of total labor force, and average household population of 3.2. All the surveyed population is Han people, including 972 women, accounting for 31.25%; women deal mainly with crop cultivation, housework and other productive activities.

### 3.2.2 Age structure

Among the 32 people out of the 10 households, 2 are under the age of 6, accounting for 6.3%; 5 aged 7-17, accounting for 15.6%; 9 aged 18-40, accounting for 28.1%; and 11 aged 41-61, accounting for 34.4%; 5 aged over 61, accounting for 15.6%.

### 3.2.3 Education

Among the 32 people out of the 10 surveyed households, 2 are preschoolers, accounting for 6.3%; 23 are illiterate, accounting for 9.4%; 5 have received primary school education, accounting for 15.6%; 14 have received junior secondary school education, accounting for 43.8%; 6 have received senior / technical secondary school education, accounting for 18.8%; 2 have received college or above education, accounting for 6.3%.

### 3.2.4 Housing area

Among the 32 people out of the 10 surveyed households, total housing area is 1574 m<sup>2</sup>; per household housing area is 157.4 m<sup>2</sup>, and per capita area 49.18 m<sup>2</sup>.

### 3.2.5 Arable land

Among the 10 people out of the 32 surveyed households, 10.43mu per household and 0.326mu per capita. Mainly are Cotton, wheat, rice, and net annual income per mu is about 900 yuan.

### 3.2.6 Household properties

Among the 10 people out of the 32 surveyed households, an average household owns 1.1 color TV sets, 0.7 refrigerators, 2.2 electric fans, 0.4 washing machines, 2

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 10 people out of the 32 surveyed households, per capita annual household income is 9,648 yuan/person, in which income from work 8,234 yuan/person, accounting for 85.3%; operating income 622 yuan/person, accounting for 6.4%; property income 234 yuan/person, accounting for 2.4%; and transfer income 588 yuan/person, accounting for 5.8%. 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 5,588 yuan/person, in which household operating expenditure is 2,163 yuan/person, accounting for 38.7%; personal consumption expenditure 462 yuan/person, accounting for 8.3%; tax and charge payment 65 yuan/person, accounting for 1.2%; purchase of productive fixed assets 2,744 yuan/person, accounting for 49.1%; property expenditure is 79 yuan/person, accounting for 1.4%; transfer expenditure is 75 yuan/person, accounting for 1.3%. The sampling survey results of the income and expenditure of the affected households are shown in Table 3-2.

Table 3-2 Income and expenditure structure of affected rural households

Item		Per capita income (yuan)	Proportion (%)
Annual family income	Wage income	8234	85.3
	Family operating income	622	6.4
	Where: Income from primary industries	485	
	Income from secondary industries	67	
	Income from third industries	70	
	Property income	234	2.4
	transfer income	558	5.8
	Total	9648	100.0
operating expenditure	Family operating expenditure	2163	38.7
	Purchase of productive fixed assets	462	8.3
net income of per person		4060	/

Annual family expenditure	Tax payment	65	1.2
	Living expenses	2744	49.1
	Property expenditure	79	1.4
	Transfer expenditure	75	1.3
	Total	5588	100.0
Saving		2867	/

### 3.2.8 Willingness for resettlement

According to statistics, after housing demolition, they all ask for cash compensation. After compensation, affected households has following intentions: a) Getting sites 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 3-3.

Table 3-3 Public Opinion Survey

No.	Question	Answer	Proportion of selection by affected households (%)					Total
			1	2	3	4	5	
1	Are you clear about the project?	(1) Clear; (2) Not very clear; (3) Unclear	95	5	0	0	0	100

No.	Question	Answer	Proportion of selection by affected households (%)					Total
			1	2	3	4	5	
2	Source of the project and land acquisition	(1) Newspaper; (2) Meeting; (3) Neighbor; (4) Social surveyor	5	5	15	75	0	100
3	Do you approve of the project?	(1) Yes; (2) No; (3) Indifferent	90	10	0	0	0	100
4	To whom do you think the project is of benefit (multiple choices allowable)?	a) State: (1) Yes; (2) No	95	5	0	0	0	100
		b) Collective: (1) Yes; (2) No	95	5	0	0	0	100
		c) Individual: (1) Yes; (2) No	90	10	0	0	0	100
5	Which benefits do you think the project will bring to you?	(1) Keeping assets safe; (2) Improving ecological environment; (3) Increasing income; (4) Other	10	85	5	0	0	100
6	What adverse impacts do you think will the project have on you?	(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	20	10	40	30	0	100
7	Do you know the compensation and resettlement policies for land acquisition and house demolition?	(1) Yes; (2) Somewhat; (3) No	0	15.3	84.7	0	0	100
8	During land acquisition and house demolition, will you file an appeal when your lawful rights and interests are infringed upon?	(1) Yes; (2) No	83.1	16.9	0	0	0	100
9	Willingness for compensation for land acquisition	(1) Cash compensation without land replacement; (2) Land reallocation, with compensation fees going to the collective; (3) Other, specify	90	10	0	0	0	100
10	If you expect cash compensation, what will you do when you receive it?	(1) Secondary and tertiary industries; (2) Work outside; (3) Industrial restructuring; (4) Purchase of insurance; (5) Other, specify	30	50	10	5	5	100
11	What assistance do you expect after land acquisition?	(1) Skills training; (2) Provision of employment information; (3) Other, specify	40	40	20	0	0	100

### 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 are 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 72.9% is much higher than women's 27.1%. So women's position is very low because of income. Gender income statistic is shown in the table 3-4.

Table 3-4 Gender income statistics

Item	Family income
Male ( % )	72.9
Female ( % )	27.1
Total	100

#### 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 3-5.

Table 3-5 Education statistics

Education	Female(%)	Male(%)
primary school	26.7	17.6
junior secondary school	46.7	41.2
senior / technical secondary school	20	29.4

college or above	6.7	11.8
Total	100	100

### 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 3-6.

Table 3-6 Career structure statistics

Career	Female ( % )	Male ( % )
Take care of the family	20.0	11.8
Farmer	53.3	41.2
Going-out worker	16.7	47.1
Total	100	100
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. After cash compensation, they can choose to build a house or to live with their children. At the same time, those people who meet requirements of Linquan endowment insurance program, they can get the insurance.

## 3.4 Summary

Investigation team found that: 1) Road construction of this project belongs to linear land acquisition, so the impact is not heavy. According to the endowment insurance policy of Linquan County on landless peasants, if someone completely lost his/her land or his/her land is less than 0.3 mu (unit is households) after land acquisition, for these people who is over the age of 16 and did not participate in the urban basic endowment insurance, they can be incorporated into the insurance; 2) 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 the land agricultural income loss just a small part, little relationship with their total income; 3) 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 tome, 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:

	Policy document	Effective date
State	Land Administration Law of the PRC	2004-8-28
	Regulations on the Implementation of the Land Administration Law of the PRC (Decree No.256 of the State Council)	1998-12-27
	Decision of the State Council on Deepening the Reform and Rigidly Enforcing Land Administration (Guo Fa [2004]28)	2004-10-21
	Interim Regulation of the PRC on Farmland Occupation Tax	2008-1-1
	Guidelines on Improving Compensation and Resettlement Systems for Land Acquisition (MLR Fa [2004] No.238)	2004-11-3
	Circular of the State Council on Intensifying Land Control (Guo Fa [2006] No.31)	2006-8-31
	Measures on Public Announcement of Land Acquisition	2002-1-1
	Circular of the Ministry of Land and Resources on Carrying out Proper Compensation for Land Acquisition Practically	2004 MLR Fa No.58
	Decision of the State Council on Amending the Regulation of the Regulation of the PRC on the Administration of Navigable Waterways	2009-1-1
Anhui Province	Measures of Anhui Province for the Implementation of the Land Administration Law of the PRC	2000-9-22
	Circular on Regulating Compensation and Resettlement for Land Acquisition and Arbitrating Disputes over Land Acquisition Properly (ALRD [2007] No.54)	2007-2-15
	Uniform Annual Output Value and Compensation Standard for Land Acquisition of Anhui Province (APG [2009] No.132)	2010-1-1
	Circular on Issuing the Interim Rules for the Appraisal of Demolished urban Houses of Anhui Province (Jian Fang [2004] No.142)	2004-7-1
Fuyang Municipality	Measures of Fuyang Municipality for the Administration of Urban House Demolition (FMG Fa [2002] No.3)	2002-9-21
	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)	2010-1-1
	Announcement on Benchmark Rates of Cash Compensation for House Demolition on State-owned Land within the Planning	2008-1-1



	Policy document	Effective date
	Area of the Five Counties and Cities in 2008 (FMG Mi [2008] No.29)	
	Circular on Issuing the Measures of Fuyang Municipality for the Implementation of Land Acquisition and House Demolition for Non-agricultural Construction (FMG Fa [2000] No.18)	2000-3-10
	Measures of Fuyang Municipality for the Basic Endowment Insurance of Land-expropriated Farmers	2009-5-20
World Bank	Operational Policy OP4.12 Involuntary Resettlement and appendixes	2002-1-1
	Bank Procedure BP4.12 Involuntary Resettlement and appendixes	2002-1-1

## 4.2 World Bank policy on involuntary resettlement

10. 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).

11. 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.

15. 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

(12) 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.

(13) 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.

(14) 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.

(15) 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

(2) 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.

(3) 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:

(5) 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.

(6) 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.

(7) 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.

(8) 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:

(9) 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.

(10) 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.

(11) 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<sup>2</sup> per household for suburbs, rural towns and markets;
- (2) Not more than 220 m<sup>2</sup> per household for the Huaibei Plain; and
- (3) Not more than 160 m<sup>2</sup> per household for mountain and hilly areas; not more than 300 m<sup>2</sup> 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, except 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.

The standard policies have been implemented in this project:

File of Fuyang Municipality government “Compensation Standard Notice on Young crops, Houses and Other Attachments” (FMG [2013] NO. 53);

File of Linquan County government “Compensation Standard Notice on Land Acquisition” (LCG [2011] NO. 11);

### 4.5.1 Compensation for acquisition of collective land and labor resettlement

(1) In case of land acquisition, the acquired land shall be compensated for based on its original use. Compensation fees for land acquisition include compensation fees for land, ground attachments young crops, and resettlement subsidy.

(2) The use of land compensation fees and resettlement subsidy shall be decided by the village congress; the land compensation fees may be paid to the affected village or households; the resettlement subsidy must be used specifically for labor resettlement for the acquired land and shall not be diverted to any other purpose; the compensation fees for ground attachments and young crops shall be paid to their respective owners. After an affected household receives compensation, if it meets the criteria for the endowment insurance of land-expropriated farmers, it may participate in the endowment insurance of land-expropriated farmers.

(3) The land compensation rates shall be as specified in the Uniform Annual Output Value and Compensation Standard for Land Acquisition of Anhui Province (APG [2012] No.67).

### 4.5.2 Policy for permanent acquisition of state-owned land

From designing drawings, the state-owned land is the land of Yangqiao Ship Lock, and it belongs to Yangqiao Ship Lock administration, so no need to get new authorization.

### 4.5.3 Compensation and resettlement policies for houses on collective land

All collective land compensation will be issued in one time: displaced people also will get moving subsidization, temporary resettlement fee and rewards

( 1 ) Moving subsidization on legal house is 4yuan/m<sup>2</sup> ;

( 2 ) temporary resettlement fee is 3 yuan/m<sup>2</sup>.

#### 4.5.4 Compensation and restoration policies for temporary land occupation

Temporary occupation of rural collective land shall be compensated for based on the purpose and loss of 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 spoil grounds are mostly hollow farmland and its level may be increased after disposal. In addition, fertile river bottomland can improve the fertility of the temporarily occupied land and eliminate the need for reclamation. Therefore, only young crop/ground attachment compensation fees are calculated for the farmland occupied by the spoil grounds without reclamation fees. For the land occupied temporarily by construction sites, compensation fees include young crop/ground attachment compensation fees and land reclamation fees.

- Temporarily occupied land shall be compensated for based on the period of occupation and the annual output value of land;
- Land reclamation fees are 6 yuan/m<sup>2</sup>, and are not calculated for unused land.

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.

#### 4.5.5 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.

#### 4.5.6 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 collective 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

Table 4-1 Compensation Standards for Collective Land Acquisition

NO.	Xiang/Town	Output value (yuan/mu)	Farmland			Construction land and unused land		
			Land subsidy multiple	Resettlement subsidy multiple	Land acquisition standards (yuan/mu)	Land subsidy multiple	Resettlement subsidy multiple	Land acquisition standards (yuan/mu)
1	YangQiao Town	1600	7	15	33600	5	5.5	16800

Based on “FMG[2013] NO.53”, the compensation for young corps is 800yuan/m

### 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 reclamation fees. Land occupied temporarily by the Project is occupied mainly by the spoil grounds. Compensation standards is 1500yuan/mu, and the period is no more than 2 years

### 4.6.3 Compensation rates for demolition of houses and their affiliated house

The replacement cost rates for different types of houses have been fixed according to the relevant provisions of Anhui Province and Fuyang Municipality(), and by reference to the replacement cost analysis of the main types of affected houses and the compensation rates of similar past projects, as shown in Table 4-2. Demolished people can choose cash compensation or land compensation, simply house demolition belongs to cash compensation.

Table 4-2 Compensation rates for demolition and their affiliated house

Item	Type	Unit	Compensation rate (yuan/unit)	Remarks
House	Reinforced	m <sup>2</sup>	670	/

Item	Type	Unit	Compensation rate (yuan/unit)	Remarks
compensation	concrete Grade 1			
	Reinforced concrete Grade 2	m <sup>2</sup>	550	/
	Reinforced concrete Grade 3	m <sup>2</sup>	450	/
	Concrete groud	m <sup>2</sup>	24	
	Wall	m <sup>2</sup>	60	
	Well	□	240	
	Simple shed(more than 1.2m in height)	m <sup>2</sup>	45	
	Temporary resettlement subsidy	yuan/ m <sup>2</sup> ·month	3	
	Moving subsidy	yuan/ m <sup>2</sup>	4	Legal area

#### 4.6.4 Other costs

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

Table 4-3 Compensation rates for other costs

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

#### 4.6.5 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 Linquan 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**

- A) 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.
- B) House reconstruction
  - 1) There are two kinds of compensations on resettlement of residential housing demolition, they are house site compensation and cash compensation, and affected people can choose their own way.
  - 2) New house sites are given free to affected people, so as moving fee.
  - 3) The time for housing reconstruction is about 2 months. New house will be built by villager their selves, they can get free material to build, which will not be deducted from compensation for the original housing.
  - 4) The demolition compensation must be paid before demolition;
  - 5) If a peasant wants to enlarge their new house or improve the quality, they pay the extra fee; and they make the decision;

- 6) In the housing reconstruction and the relocation, the village committee, township government and district (county) project office will offer help to the needy.

## **5.3 Restoration plan**

### **5.3.1 Resettlement and restoration plans for affected villages**

Land acquisition involves 1 village and 1 Xiang/towns, 0.6 mu of collective land has been acquired, including 10 people in 4 households. From the type of land, all lands belong to construction land and unused land, the affected households all built their own sheds near highway on collective land.

Based on the investigation, this project involves farmland 1117 mu, per capita cultivated land is 0.33 mu/per. This project has no agricultural land acquisition; just 0.6mu of normal land is used in slope setting (House sites included). Land acquisition is less than 1%. 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 be issued to villager, those people who meet the requirements of land-lost farmers endowment insurance, they can join; 2) compensation for ground attachments and young crops belongs to the owner.



### 5.3.3 Basic endowment insurance of land-expropriated farmers

According to the Measures of Linquan County for the Basic Endowment Insurance of Land-expropriated Farmers, within the urban planning area of Linquan, land-expropriated farmers who lose all land or have a per capita arable area of less than 0.3mu may join the endowment insurance of land-expropriated. Do not include these people who are approved by other departments.

#### (a) Fund structure

Establishing landless-peasant social security fund, basic cost of living allowance will be paid by it, landless-peasant fund mainly includes:

- 1) The fund comes from 4% of total income of selling state-owned land;
- 2) The fund comes from 4% of taxes from local industrial enterprises.

#### (2) Content and standards

1) Affected people who is 60 years old (male)/55 years old (female), everyone can get 120yuan/month from next month after their birthday.

2) Since January 1, 2008, the affected people because of land acquisition, who is less than 16, everyone will get 120yuan monthly, until these people get 16.

3) The people who join in basic living insurance, still can join in endowment insurance, they can join both of them.

4) Non-agricultural resident who is meet the requirements of basic insurance, they will join in the insurance;

5) Anyone who changes his/her resident's type and meets the requirements of endowment insurance, they will join in this program.

After calculation, 4 people meet the requirements of endowment insurance, they will join in this program.

## 5.4 Resettlement plan of residential houses demolition

The Project involves demolition of residential houses only, with a total area of 190 m<sup>2</sup>, affecting 4 households with 10 people. Based on survey, these affected houses all belong to Iron-cover house, they all choose cash compensation. Standards are shown as follows.

(1) Simple shed is 45yuan/m<sup>2</sup>. Details are in Table 4-2.

(2) Using cash compensation, transfer subsidy is monthly 3 yuan/m<sup>2</sup>, the period is 6 month, and moving subsidy is 4 yuan/m<sup>2</sup>.

## 5.5 Restoration program for temporarily occupied land

Temporary land occupation mainly involves borrow pits and spoil grounds, as far as possible to avoid cultivated land, borrow pits mainly on flood land 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. Throwing mud can reduce the pressure of levee protection, after reclamation, it can increase cultivated land in spoil grounds.

## 5.6 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 March 2008, under the direction of the technical assistance and consultation experts, the survey team of Linquan Department of Transportation 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 the participation activities at the preparation stage

Date	Organizer	Participants	Number	Purpose	Key opinions and details
2013.6~2013.11	consulting company	Affected people, village officials, engineering technicians	200	Feasibility study, field visit, preliminary impact survey	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
2013.10~2013.11	ACTVC	Government departments concerned and villagers' representatives	35	Preparation for the Resettlement Plan	Confirming demolition number
2013.10~2013.11	ACTVC	Government departments concerned and villagers' representatives	35	Preparation for the Resettlement Plan	Confirming compensation of land acquisition and demolition
2013.10~2013.11	ACTVC	Government departments concerned and villagers' representatives	80	Preparation for the Resettlement Plan, impact and social and economic surveys	Assistance in the impact survey, The villagers' representatives express a strong need for the project, Social and economic survey and displaced households survey
2013.10~2013.11	ACTVC	Government departments concerned and villagers' representatives	80	Preparation for the income restoration plan	Consultation of compensation and income and temporary land occupation restoration plans
2014.5~2014.6	ACTVC	Consultants,	40	Department	Training and

Date	Organizer	Participants	Number	Purpose	Key opinions and details
		ACTVC, Government departments concerned and villagers' representatives		training and asked for advices of resettlement plan	collecting advices

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, Linquan 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; ACVTC 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 Linquan 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 August 2013, Linquan PMO invited international consulting experts and domestic consulting experts to answer villagers' questions of resettlement plan and policies in the field. Village officials get trained by them. WB experts and Linquan County officials shared and took each other's suggestion and opinions

From Oct. 16, 2013 to Oct. 18, 2013, due to project changes, ACVTC did investigations about Laojie Village by doing interviews and symposium, get to know their production and living situations, Socioeconomic levels and the response to this project, ACVTC also listened to their suggestion and opinions about compensation, income restoration plan and etc.

From June 25, 2013 to June 27, 2013, WB investigation experts came to Yangqiao County and did a field survey about ship lock, 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

Purpose	Mode	Time	Unit	Participants	Topic
Bulletin on land acquisition	Village bulletin board and village meeting	Aug. 2013	Linquan Couty PMO, highway bureau and land & resources bureau, town and village officials	All affected people	Disclosure of land acquisition area, compensation standards and modes of resettlement, etc.
Bulletin on compensation and resettlement plan for land acquisition	Village bulletin board and village meeting	Oct. 2013	Linquan Couty PMO, highway bureau and land & resources bureau, town and village officials	All affected people	Compensation fees and mode of payment
Recheck of physical indicators	Field survey	Aug. – Dec. 2013	Linquan Couty PMO, highway bureau and land & resources bureau, town and village officials	All affected people	Check for omissions, and confirmation of the final quantities affected
					Detailed list of occupied land and losses of the displaced persons
					Preparation of the basic compensation agreement
Determination and implementation of income restoration plan	Village meeting (many times)	Before implementation	Linquan Couty PMO, highway bureau and land & resources bureau, town and village officials	All affected people	Discussion of the final income restoration plan and the plan for use of compensation fees
Resettlement plan disclosure	Issue booklets	Mar. 2013	Local land & resources bureau, town and village officials	All affected people	/
Training plans	Village meeting	Nov.2013- Dec.2013	Local labor bureau, town and village officials	All affected people	Discussion of training needs

Purpose	Mode	Time	Unit	Participants	Topic
Monitoring	Village participation	Aug.2014- Dec.2015	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 dissatisfied with the disposition of Stage 1, he/she may file an appeal to the Department of Linquan County Transportation. After receiving such disposition, they shall make a disposition within 2 weeks.

Stage 3: If the displaced person is still dissatisfied with the disposition of Stage 2, he/she may file an appeal to Linquan County PMO. After receiving such disposition, he shall make a disposition within 2 weeks.

Stage 4: 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

<b>Appeal channel</b>	<b>Contact</b>	<b>Telephone</b>
Department of Linquan County Transportation PMO	Zhang Li	13805670511
Anhui Provincial Port&Shipping Construction Investment Goup Co., LTD	Geng Zhibin	0551-64299522
Yangqiao Ship Lock PMO	Wang Nengwen	13505518358
Anhui province PMO	Wu Fei	0551-63756191

## **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 1.457 million yuan. Of the total resettlement costs, the costs for acquisition of rural collective land are 31,300 yuan (2.15%); costs for house demolition are 67,500 yuan (4.63%); costs for temporary land occupation are 1.0503 million yuan (72.09%); compensation costs for demolition of attachments are 175,500 yuan (12.05%); and unexpected cost are 132,500 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 up before 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; and