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**CERTAIN OPINIONS OF THE CENTRAL COMMITTEE
OF THE CHINESE COMMUNIST PARTY [AND THE]
STATE COUNCIL ON PROMOTING THE STABLE
DEVELOPMENT OF AGRICULTURE AND CONTINUING
TO INCREASE FARMERS' INCOME IN 2009**
(December 31, 2008)

Translated by Tobias Damm-Luhr[†]

Translator's Note: The following is a translation of Certain Opinions of the State Council [and the] Central Committee of the Chinese Communist Party ("CCP") on Promoting the Stable Development of Agriculture and Continuing to Increase Farmers' Incomes in 2009 ("2009 No. 1 Document"), which the CPC Central Committee and the State Council promulgated on December 31, 2008, and made public on February 2, 2009. It calls on "every region and every department" to seriously study the blueprint created by the Third Plenary Session of the CPC's 17th Central Committee, namely the Decision on Certain Issues Concerning the Advancement of Rural Reform and Development ("2008 Decision"). Compared to the 2008 Decision, the 2009 No. 1 Document covers a narrower range of issues, but provides greater detail. It mainly focuses on support and protection of agriculture, increase of agricultural production, material support and service systems for agriculture, basic rural management systems, and unifying social and economic development of rural and urban areas. It is notable that the 2009 No.1 Document uses language similar to that of the 2008 Decision in several places.

The 2009 No. 1 Document contains descriptions of general and specific goals as well as implementation measures related to improving the situation of China's countryside. This translation only includes content that relates to land-use rights.

Proceeding from the overall position of the cause of socialism with Chinese characteristics, as well as from the overall strategic situation of the comprehensive development of a prosperous society, the Third Plenary Session of the Party's 17th Central Committee described a grand blueprint for the all-round development of a prosperous society in China's countryside, and drafted a plan of action for advancing rural reform and development under new conditions. Every region and every department must study it seriously and gain a deep understanding of the Plenary Session's spirit, [as well as] steadily advance the development of a new socialist countryside, steadily progress along the road of modernization of agriculture with Chinese characteristics, steadily accelerate the formation of a new pattern of unifying economic and social development of urban and

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rural areas, [and] truly implement the objectives of the state set out in the *Decision of the Central Committee of the Chinese Communist Party on Certain Issues Concerning the Advancement of Rural Reform and Development*.¹

In the year 2008, all regions and departments earnestly carried out the decisions and plans of the Central Committee, prevailed over major natural disasters, [and] overcame a variety of difficulties and hazards; a good development situation for agriculture and the countryside continues to be maintained. Agricultural production has again experienced a bountiful harvest, total grain production levels have reached new record levels, farmers' incomes are increasing relatively quickly, rural public services are developing at an accelerated pace, and relationships between Party members and the masses, as well as between officials and the masses in the countryside, continue to improve. The good conditions of agriculture and the countryside have established a stable base for the Party and the state to successfully undertake major endeavors and appropriately face difficulties; they have also contributed significantly to maintaining stable and relatively quick economic development as well as protecting social stability and harmony.

At present, the global financial crisis continues to spread, and the world's economic growth is noticeably slowing down; the negative effects of [these events] on China's economy are deepening every day, [and] the impacts on development of agriculture and the countryside continue to manifest themselves. 2009 will perhaps be the most difficult year for China's economic development since the [dawn of the] new century; it is also a year in which solidifying and developing good conditions for agriculture and the countryside will be an arduous task. With the high base quotas resulting from five years of continuous increases in agricultural production, the task of maintaining grain security and development has become ever more onerous; in the situation of domestic and foreign resource product prices generally falling, the difficulty of maintaining the prices of agricultural products at reasonable levels has become more apparent; in the atmosphere of the entire society's intense focus on the quality and safety of food products, the demand for maintaining the improvement in quality of agricultural products as well as the demand for avoiding business risks has become even more urgent; under the current severe employment conditions of migrant workers, the limits on maintaining the relatively speedy increase of farmers' incomes stand out even more. Consciousness of the crisis must

¹ This is the official name of the 2008 Decision.

be truly heightened, difficulties must be thoroughly sized up, opportunities must be firmly seized, decisive measures must be taken, decreases in grain production must be resolutely guarded against, wavering of farmers' incomes must be resolutely guarded against, stable development of agriculture must be ensured, and social stability in the countryside must be ensured.

Completion of work [for] agriculture and the countryside in 2009 has special and important meaning. The greatest potential for expanding domestic demand [exists] in the countryside; the foundation for realizing stable and relatively speedy economic development [lies] in agriculture; [and] farmers are both the key and the obstacle to guaranteeing and improving the livelihoods of the people. The overall demands of the work [to be done for] agriculture and the countryside in 2009 are: Fully carry out the spirit of the Party's 17th National Congress, of the Third Plenary Session of the 17th Central Committee, and of the Central Economic Work Conference; hold high the great flag of socialism with Chinese characteristics; use Deng Xiaoping theory and the important ideology of the "Three Represents"² as a guide; thoroughly implement and establish scientific views on development; make maintaining the stable and relatively speedy development of agriculture and the countryside a priority objective; with regards to stabilizing grain [supply], increasing income, strengthening the base, and renewing livelihoods, advance the strengthening of policies to benefit farmers; strengthen scientific and technological support; increase investment; improve industrial infrastructure; advance reform and innovation; guarantee national grain security and effective supply of important agricultural products by every means possible; promote the continued increase of farmers' incomes by every means possible; [and] continue to provide a strong guarantee for good and fast social and economic development.

I. INCREASE SUPPORT AND PROTECTION FOR AGRICULTURE

1. Further increase investment in agriculture and the countryside. [In order to] expand domestic consumption and implement positive financial

² *Translator's Note:* Jiang Zemin introduced the theory of the "Three Represents" on his inspection tour of southern China's Guangdong Province in February 2000. See *The Three Represents Theory*, XINHUANET.COM, June 25, 2006, <http://news.xinhuanet.com/english/20010625/422678.htm> (last visited Nov. 2, 2009). The theory states that, "[A]s the vanguard of the Chinese working class, the CPC has always represented the development trend of advanced productive forces, the orientation of advanced culture and the fundamental interests of the overwhelming majority of the people in China (namely the 'Three Represents') during various historical periods of revolution, construction and reform." *Id.*

policies, “The Three Rural Issues”³ should be the focus of investments. Greatly increase the State’s investment in the construction of basic rural structures and the development of social enterprises, increase the budget’s proportion of investment in fixed assets used towards agriculture and the countryside, use additional national debt towards “The Three Rural Issues.” Greatly increase the proportion of new income from rental profits and from tax for occupation of cultivated agricultural land used for agriculture, use the increased income from raising the tax for occupation of cultivated agricultural land completely for agriculture, the focus of the use of land rental income [will be] supporting the development of agricultural land as well as the construction of basic rural facilities. Greatly increase investment in public development programs in the countryside of central-western [China], beginning in 2009, stop the financial contributions of governments on the county level and below to development programs set up by the state in central-western China such as reinforcing and cleaning up contaminated reservoirs, ecological development, [promotion of] rural drinking water safety, and support and renovation of large and medium-size irrigation areas. The newly-added portion of the urban maintenance and construction tax should be used for township and village construction projects as well as the construction and maintenance of rural basic facilities. Localities with [adequate] capacity may establish policy-related agricultural investment corporations and funds for agricultural and industrial development.

2. Increase agricultural subsidies to a relatively high degree. In 2009, further increase funds for subsidies on top of the foundation of last year’s relatively large increase in subsidies. Increase direct subsidies to farmers who plant grain. Enhance subsidies for improved varieties, improve subsidy standards, realize complete coverage for paddy rice, wheat, corn and cotton, expand the scope of subsidies for improved varieties of rapeseed and soybeans. Massively increase subsidies for purchasing agricultural machinery and equipment, include agricultural machinery in the subsidy lists that is advanced and appropriate, [uses] developed technology, is safe and reliable, is environmentally-friendly, and provides adequate service; the scope of the subsidies [should] cover all agricultural and pastoral counties (and all farms and pastures) nationwide, [in order to] drive the popularization of use of agricultural machinery and drive the development of

³ *Translator’s Note:* The expression “Three Rural Issues” refers to the issues of agriculture, rural areas, and farmers. See *Expectations and Challenges for China’s Economy Next Year*, PEOPLE’S DAILY ONLINE, Dec. 6, 2004, http://english.people.com.cn/200412/06/eng20041206_166283.html (last visited Oct. 21, 2009).

the agricultural machinery industry. Enhance comprehensive subsidies of agricultural capital, perfect the mechanism for adjusting subsidy dynamics, strengthen monitoring of costs and earnings of agricultural production, make timely increases in subsidies according to the size of increases in the prices of agricultural capital and the actual area on which crops are planted. Perfect methods of subsidizing agriculture in accordance with the requirements of clear goals, simplicity and effectiveness, and benefiting the encouragement of grain production. Steadily enhance subsidies for specialized large-scale operations and family farms to plant grain in accordance with the actual conditions of new increases in agricultural subsidies.

3. Maintain reasonable price levels for agricultural products. Closely follow changes in domestic and foreign markets for agricultural goods, strengthen government regulation at appropriate times, flexibly utilize a variety of methods to make great efforts in avoiding decreases in the prices of agricultural goods, prevent [the phenomenon of] low grain prices hurting farmers, [and] ensure the stable growth of incomes from agricultural operations. Continue to increase the minimum purchase price for grain in 2009. Enlarge national reserves of grain, cotton, edible vegetable oil, and pork, completely implement local grain and oil reserves in 2009 to the scale that has been stipulated, start temporarily placing main agricultural products in reserves at appropriate times, encourage enterprises to increase the [amount placed in] commercial reserves. Strengthen the harmonization of “moving grains from the north to the south” as well as of Xinjiang cotton outflows, continue implementing corresponding policies to subsidize and decrease freight charges, support enterprises in selling areas purchasing from producing areas. Get a good grasp on the opportunities and rhythms of exports and imports of main agricultural products, support the export of superior agricultural products, prevent a portion of varieties from being imported excessively and flooding domestic markets.

4. Enhance the capabilities of rural financial services. Press on with establishing and encouraging the implementing method of county banking industries and financial institutions mainly using newly acquired deposits to provide loans in their localities, establish independent assessment mechanisms. Under the premise of strengthening supervision and guarding against risks, speed up development of a variety of forms of new types of rural financial organizations and small-and medium-sized local banks that mainly service the countryside. Encourage and support financial institutions

to invent rural financial products and financial services, vigorously develop small loans and microfinance financial services; rural microfinance financial institutions may acquire capital from financial institutions in a variety of ways. Actively expand rural consumer credit markets. In accordance with the law, develop mortgage loans for large agricultural production equipment, forest rights, wasteland use rights, etc., as well as pledge loans for accounts receivable, warehouse receipts, transferrable stock equity, patent rights, trademark rights, etc., for which rights are clear and risks are controllable. Press on with the unveiling of concrete methods for implementing tax reductions and cost subsidies directed at agricultural loans, for policy-oriented finance to support mid- and long-term agricultural loans, and for farmers' cooperatives developing credit cooperation pilot projects. Relax the requirements of financial institutions for cancellation of bad agricultural debt. Speed up development of policy-oriented agricultural insurance, expand the scope of pilot projects and increase the number of types of insurance, enhance the Ministry of Finance's insurance premium subsidies in central-western [China], speed up the establishment of agricultural reinsurance systems and of mechanisms to disperse the risk of catastrophes that are supported by the Ministry of Finance, encourage development of mutual assistance and cooperation insurance as well as commercial insurance in the countryside. Explore establishment of mutually interactive bancassurance mechanisms that tie together rural credit and agricultural insurance.

II. STABILIZE DEVELOPMENT OF AGRICULTURAL PRODUCTION

5. Enhance support for grain production. Stabilize the [size of the] area on which grain is planted, optimize the structure of varieties, improve yield-per-unit levels, constantly strengthen overall production capacity. Establish and perfect benefit compensation systems for main grain-producing areas, increase normal transfer payments, reward subsidies for major grain-producing counties, and other funds in accordance with the contribution of main grain-producing areas to national grain security, prioritize investment in construction of basic agricultural facilities, [funds for] comprehensive agricultural development, and other funds, support development of grain-producing enterprises and key enterprises, guide producing and selling areas towards the establishment of beneficial linking mechanisms, advance the speeding-up of socio-economic development in main producing areas, ensure that main producing areas obtain reasonable benefit compensation, ensure that farmers who plant grain obtain reasonable

economic profits. Speed up the discontinuation of using the grain risk fund to financially support main production areas. Advance the development of national capacity to produce another 100 billion jin⁴ of grain, concentrate investment and undertake comprehensive development using the key county (farm) in the main-producing areas as a unit. Further strengthen the responsibility system for “rice bag” provincial governors, each region should take on the responsibilities of protecting its own cultivated land and water resources as well as of regulating its grain production and sales and its markets, establish effective mechanisms level-by-level for supervising and inspection as well as performance assessment of officials in relation to grain security. Unite to invigorate the northeastern regions and other old industrial bases [in order to] speed-up the advancement of modern agricultural development. Realize the positive effects of state-owned farms on developing modern agriculture, guaranteeing national grain security, and other aspects.

6. Support superior production areas concentrating development of production in oil-bearing crops and other cash crops. [Here, the CCP and State Council discuss various measures to build up the production of these crops, such as rapeseed, soybeans, and cotton, in areas such as northeast China, Inner Mongolia, and the Yangtze River Valley, among others.]

7. Speed up the development of animal husbandry and aquatic culture towards scale-expansion, standardization and healthy breeding. [Here, the CCP and State Council discuss measures to promote the healthy development of pig farming, cow farming and milk production, chicken farming, and aquatic culture, as well as measures to promote animal disease prevention, protect aquatic organisms, and develop the fishing industry.]

8. Strict monitoring of quality and safety of agricultural products over the entire course [of production]. [Here, the CCP and the State Council discuss the goals of implementing a system of laws, regulations, and practical measures to ensure improved safety of food products, agricultural products, and animal feed. The last sentence of this paragraph has significance for rural land-use reform, since it is loosely related to the Chinese government’s goal of increasing agricultural production.] Hasten the building-up of model regions for standardized agriculture, encourage key

⁴ *Translator’s Note:* One jin equals about 0.5 kilograms or 1.102 pounds. See A CHINESE-ENGLISH DICTIONARY 1121 (Revised ed. 1997) (providing a definition of “shi jin.”).

enterprises, farmers' specialized cooperatives, specialized large-scale operations [, and other such operations] to take the initiative to implement standardized production, support the building-up of bases for green and mechanized production of agricultural products.

9. Strengthen controls on import and export of agricultural products. Perfect effective and dynamic adjustment mechanisms for the import and export of agricultural products, harmonize internal and external trade, [promote] closer communication and consultation among government, associations, and enterprises. Expand the coverage of agricultural product export credit insurance, explore risk aversion mechanisms that combine export credit insurance with agricultural insurance and export credit. Implement preferential credit policies for the export of labor-intensive and technology-intensive agricultural goods. Foster trans-national agricultural enterprises. In accordance with World Trade Organization rules, perfect the system for management of agricultural goods by foreign business people and the system for admittance of agricultural materials, clarify the scope and procedure of safety inspections [conducted when] foreign investors acquire domestic agriculture-related enterprises, establish a system for joint conferences.

III. STRENGTHEN MATERIAL SUPPORT AND SERVICE SYSTEMS FOR MODERN AGRICULTURE

10. Speed up the pace of scientific and technological innovation in agriculture. Increase investment in agricultural science and technology, raise funds from a variety of channels, establish a fund for innovation in agricultural science and technology, emphasizing support of scientific research in key fields, on important products, and on core technologies. Speed up advancement of the major special project concerning technology for cultivating new types of genetically modified organisms, consolidate resources for scientific research, increase research and development, cultivate an array of pest-resistant, resilient, high-yield, high-quality, and highly effective genetically modified species as soon as possible, and promote [their] industrialization. Implement the major project of research and development of superior technology for strong cross-fertilization of main agricultural crops. Strengthen the protection of agricultural intellectual property. Support key enterprises taking responsibility for national scientific and technological plans and projects. Strengthen and perfect the industrial technology systems of modern agriculture. Thoroughly advance

foundational activities for the high production of grain, cotton and oil, support the work of technological personnel and university graduates working on the front lines of promoting agricultural technology. Develop training in agricultural science and technology, cultivate a new kind of farmer. Using methods of commissioning and calls for tender, guide farmers' technology associations and other social forces towards taking on charitable projects to promote agricultural technology.

11. Hasten the development of high-standard farmland. Vigorously advance the improvement of land, finish [implementing] the plans,⁵ make overall arrangements for funds to re-arrange, restore and develop land, as well as for funds for comprehensive agricultural development and every other type of development fund, [in order to] improve land in rural areas in a concentrated and ubiquitous manner, implement comprehensive administration of fields, water, roads, and forests, develop the transformation of mid- and low-production fields on a large scale, increase the proportion of high-standard agricultural fields. Continue to advance the "fertile soil project," expand the implementation scope of fertilizing [methods] developed through soil testing. Develop pilot reward programs to encourage farmers to apply organic fertilizer, cultivate green fertilizer, and re-incorporate crop stalks into their fields. Vigorously develop protective farming, speed up the realization of model dry farming projects.

12. Strengthen the construction of basic irrigation facilities. Strengthen the management of big rivers as well as key mid-size and key small rivers, in order to form an array of large and mid-size irrigation backbone projects. Speed up the progress of danger aversion and reinforcement [work] on large and mid-size as well as key small contaminated reservoirs, guarantee the construction quality of the projects. Increase the scale of investment, with an emphasis on speeding up the ongoing construction of large irrigation areas, the completion of sets [of facilities] in large irrigation areas as well as speeding up water conservation reconstruction [in those areas]. Expand the scale and scope of renovation and reconstruction of large drainage and irrigation pumping stations, start up the renovation and reconstruction of the high energy headwater-carrying and

⁵ *Translator's Note:* While not specified, the word "plans" here ("*gui hua*") may refer to land-use plans that the 1986 Land Administration Law mandated. See Margo Rosato-Stevens, *Peasant Land Tenure Security in China's Transitional Economy*, 26 B.U. INT'L L.J. 97, 109 n.98 (2008). The mandate in this law arose from the Chinese Government's concerns about the loss of farmland due to development in rural areas. *Id.* at 109.

irrigation pumping station by the Huanghe River in the Northwest, of the water-carrying and pumping station in the flood plain of the Northeast, and of others. Continue to enlarge agriculture's integrated development of water-conservation reconstruction of backbone projects in mid-size irrigation areas. Increase the central and provincial-level finance ministries' support of construction of small farmland irrigation projects with special project funds, consolidate investment according to the plans, advance field projects in large and mid-size irrigation areas and water conservation reconstruction projects in small irrigation areas, popularize high-effectiveness water-conserving irrigation technology, build small and micro-size water source projects for drought resistance in accordance with local circumstances, develop irrigation in pastoral areas. Advance the management of irrigation projects and the reform of rural irrigation systems, explore financial subsidy mechanisms for operation and management of agricultural irrigation projects, start up comprehensive reform pilot projects to lighten the water-use burden of agriculture.

13. Speed up advancement of the mechanization of agriculture. Start up advancement projects for the mechanization of agriculture, with an emphasis on strengthening construction of model bases and paths for machine-plowing, improve work to popularize agricultural machinery and improve safety inspection abilities. Popularize the mechanization of planting, harvesting, and other segments of farming of main grain and oil crops, speed up research and development on handy farming machines suitable for the hills and mountainous areas and large farming machines that are suited for tasks in large areas. Support reform of technology in the farm machine industry, improve suitability and durability of farm machinery products, earnestly strengthen post-sale service. Implement pilot subsidies for [using] farming machinery to [perform] tasks for key [farming] segments. Give credit support to large farm machinery enterprises, large grain farming enterprises, and farm machinery service organizations for the purchase of large and mid-size farm machinery. Perfect the supply and guarantee mechanisms for farming fuel, establish an economic compensation system for upgrading and scrapping of farming machinery with high energy consumption.

14. Advance the development of key ecological projects. [Here the CCP and the State Council discuss goals and measures related to minimizing the amount of damage done by deforestation, desertification, forest and grassland fires, mudslides, and rural pollution, among others.]

15. Strengthen the development of a market system for agricultural goods. Increase support for the building-up of wholesale markets, peddlers' markets and other basic circulation facilities for agricultural products in key production areas and collection and distribution areas. Advance the development of large-scale grain logistics nodes, cold chain systems for agricultural products, and distribution centers for fresh agricultural products. Implement policies to stop the collection of administration fees for individually-owned businesses and of administration fees for peddlers' markets. Support the development of links between large-scale chain supermarkets and the agricultural products circulation industry, build up bases for direct purchasing of agricultural products. Give free rein to the functions [played by] rural brokers. Implement in the long-term and gradually perfect green logistics policies for live agricultural products, advance waiving the vehicle toll for vehicles that legally carry live agricultural products as their entire load throughout China.

16. Advance the development of basic agricultural public services organs. Clarify duties, perfect teams, perfect mechanisms, guarantee expenditures, thoroughly strengthen service capabilities as quickly as possible according to the requirements of perfecting the [following] public service organs on a widespread scale within three years: promotion of agricultural technology on a village/township or regional level, animal and plant disease prevention, quality inspection of agricultural products and other public service organs. Make innovations in management systems and operation mechanisms, adopt methods of public hiring, public competition for posts and other methods to hire specialist technical personnel. Reform the performance evaluation and assignment systems, link salaries of personnel to rank, duties, and professional achievements. The expenditures necessary for agricultural public service organs to carry out their duties [shall be] incorporated into localities' budgets on every level. Gradually advance pilot projects for the construction of service stations on the village level.

IV. STABILIZE AND PERFECT THE BASIC RURAL MANAGEMENT SYSTEM

17. Stabilize rural land contract relationships. Speed up the revision and perfection of related laws, regulations and policies, give farmers more complete and guaranteed contractual land management rights, maintain the stability of the current land contract relationships; [these relationships] will

stay fixed perpetually. Strengthen the property rights protections that apply to contractual land management rights, complete the work of verification of, registration of, and issuing certificates for collective ownership rights, place ownership rights in the hands of the collective organization that is the legally-determined [entity] to exercise ownership rights, steadily launch pilot projects in registration of contractual land management rights, provide farmers with ownership rights certificates that specify the acreage and location of the contracted land, strictly prohibit seizing opportunities to adjust land contract relationships, uphold the prohibition and redress of illegal actions to requisition farmers' contracted land. Speed up the implementation of the contractual management system for grasslands.

18. Establish and perfect markets for transferring contractual land management rights. In transferring contractual land management rights, it shall be forbidden to change the land's collectively-owned nature, change the land's use, or harm farmers' contractual land rights and interests. Uphold the principles of lawfulness, voluntariness, and compensation, respect farmers' key role in the transfer of land; no organization or person may force transfer, nor may independent transfer be interfered with. Standardize the transfer of contractual land management rights according to the requirements of perfecting management and strengthening service. Encourage localities that have the capacity to develop transfer service organizations to provide information sharing, advice on regulations, valuation, contract signing services, and dispute resolution, etc., for the transferring parties.

19. Implement the strictest system for the protection of agricultural land and the strictest system for economizing land use. Primary farmland must be designated by parcels,⁶ and noted in the registration certificate for the land contract management rights; also, a uniform symbol for permanent protection of primary farmland [must] be established, localities are strictly forbidden from adjusting plans and modifying the location of primary farmland without authorization. Seriously examine the responsibilities and goals of local governments relating to the protection of agricultural land, implement a system for auditing leaders and cadres who are charged with the protection of cultivated land and primary farmland when they leave their positions. Present a concrete way to protect and provide compensation for

⁶ *Translator's Note:* This means that basic farmland must be designated using parcels as a unit. A local government may not just designate a percentage of the total land in a village as basic farmland, but must specify which parcels are basic farmland.

primary farmland as quickly as possible. Strictly control the total scale of urban and rural construction land, completely establish and implement a system for economizing land that includes aspects of planning, standardization, deployment of market forces, evaluation, [and] other aspects. Speed up formulation of township land use plans and township and village construction plans, scientifically and reasonably arrange village construction land and homestead land, revise standards for use of homestead land according to resource conditions in the area. Rural homestead land and the land that has been saved through the village's re-arranging is first to be restored to agricultural land; use [of it] to decrease the target compensation for agricultural land occupied by construction must be in conformity with the law and the overall land use plan and be managed by incorporation into the land plan. Reform of the rural land management system is to be advanced in a standardized and orderly fashion after perfecting related laws and regulations and presenting concrete complementary policies.

20. Completely advance reform of the collective forest rights system. In about five years' time, complete the forest rights system reform tasks of clarification of property rights and assigning a contract to each household. In localities where collective forest management rights and ownership of timber have already been implemented for each household, platforms for trading rights are to be established and perfected as soon as possible, speed up the development of the forest rights transfer system, perfect the timber cutting management system. In localities where [these rights and ownership of timber] have not yet been implemented for each household, the pace of reform of the collective forest rights system is to be sped up, with strengthening propaganda [i.e., education], completing training and finishing issuance of boundary survey certificates as its base. Increase the government finance system's support of reforming the collective forest rights system, launch policy-type forest insurance pilot projects. Guide the healthy development of intermediary services such as forest resource and capital appraisal, [as well as] the formulation of forest management plans. Further expand pilot projects to reform the forest rights system for state-owned tree farms and key state-owned forest areas.

21. Support development of farmers' specialized cooperatives and key enterprises. Speed up the development of farmers' specialized cooperatives, launch actions to develop model cooperatives. Strengthen training of cooperative personnel; finance [ministries] on every level [shall] contribute expenditures [to this]. Incorporate cooperatives into the tax

registration system, waive the tax registration expense fee. As quickly as possible, establish basic methods for cooperatives that provide financial support and for cooperatives that possess the capacity to take on national projects related to agriculture. Support the industrialized operation of agriculture, encourage the development of processing of agricultural goods [in order to] allow farmers to enjoy profits from the added value of circulating processed [goods] even more. The Central Finance Ministry and local finance ministries [shall] increase the scale of funds for special projects on the industrialization of agriculture, especially supporting key enterprises that provide a strong impetus for farmers in [those enterprises'] launching of technology research and development, construction of industrial bases, and quality inspection. Encourage leading enterprises to participate, with financial support, in the development of the guarantee system. Adopt effective measures to assist leading enterprises in solving difficult loan problems.

V. ADVANCE THE UNIFICATION OF ECONOMIC AND SOCIAL DEVELOPMENT
IN RURAL AND URBAN AREAS

22. Speed up the development of rural public services. [Here, the CCP and the State Council discuss measures and goals for the spread of "culture" in rural areas, as well as for rural education, health care, old-age insurance, welfare, and problems of workers in agricultural enterprises.]

23. Hasten the construction of basic rural facilities. [Here, the CCP and the State Council set out goals related to basic rural facilities needed for daily living such as drinking water, electricity, roads, and housing, among others.]

24. Actively expand employment of the rural labor force. All regions and related departments shall attach a high importance to and adopt effective measures related to the current problems of rural migrant workers with employment difficulties and decreasing wages; [they] shall help settle rural migrant workers to the greatest extent possible, [and] work hard at increasing the wages of rural migrant workers. Guide enterprises towards the carrying out of their social duties, support enterprises in retaining more rural migrant workers, urge enterprises to pay timely and adequate wages, properly resolve conflicts between labor and capital. Guide enterprises dealing with temporary difficulties in their production operations towards adoption of measures of flexible employment, flexible work schedules, on-

the-job training, and various other measures to stabilize job posts. Construction of basic facilities and job posts newly added for public purposes in urban and rural areas shall use rural migrant workers as much as possible. By providing work as a form of relief and other methods, guide farmers towards participating in the development of basic agricultural and rural facilities. Government and enterprises must increase investment in labor output and labor input land, as well as develop strongly relevant and practical farmer skills training on a large scale. Localities that have the capacity can incorporate farmers who have lost their jobs into the support radius of relevant employment policies. Implement policies that support rural migrant workers returning to villages to start businesses, provide support in the areas of loan issuance, tax decreases, commercial registration, and information and advice, among others. Ensure the legal contractual land rights of migrant workers returning to [their] villages, provide temporary assistance to returning migrant workers without a means of support or incorporate them into the rural basic living allowance [system]. Simultaneously fully extract agriculture's inherent employment potential, develop non-agricultural employment space in rural areas, encourage farmers to set up businesses locally. Press on with establishing old-age insurance methods suited to the special characteristics of rural migrant workers, solve the problems [related to] transferring old-age insurance between different social security regions.⁷ Establish a system for supervision of statistics on rural migrant workers.

25. Advance comprehensive rural reform. [This part of the 2009 No. 1 Document discusses goals and measures related to rural financial administration.]

26. Enhance the economic development vitality of county-wide economies. [This section of the 2009 No. 1 Document describes county-level administration, specifically allowing provinces with adequate means to more directly administer counties and cities, and giving rapidly-developing

⁷ *Translator's Note:* This sentence refers to the problem of people who migrate from one region of China to another and pay old-age pension premiums from their salary in that region. When they move back to their home region, their living allowance from the pension is lower compared to the pension they would have received if they had not moved back home. See generally *She bao yi di zhuan xu diao cha: tong chou ceng ci guo di zao cheng zhuan yi nan* [An Examination of Continuing Social Insurance In Different Localities: Difficulties Arise Due to the Small Scale of [Social Insurance] Planning Levels], REN MIN WANG [PEOPLE'S NET], Apr. 28, 2004, <http://society.people.com.cn/GB/7173542.html> (last visited Oct. 21, 2009); see also *China Draft Law of Social Insurance Draws Nationwide Debate*, PEOPLE'S DAILY ONLINE, Feb. 20, 2009, <http://english.people.com.cn/90001/90776/90785/6596984.html> (last visited Oct. 21, 2009).

small towns rights to exercise administrative privileges in investment, commerce, and public security.] Support development of village and township enterprises, increase investment in technology overhaul, promote industrial conglomeration and upgrades.

27. Actively develop the rural market. [This section discusses goals and measures related to increasing consumer activity in rural areas, including “Home Appliances Go to the Countryside.”⁸]

28. Perfect the national strategy and policy system for poverty relief. Adhere to a development-oriented policy for poverty relief, institute a rural basic living allowance system and an effective way to link development and poverty relief. Implement a new standard for poverty relief, completely implement poverty relief policies for rural populations who do not have adequate food and shelter [or] have low incomes, solve the problem of lack of food and shelter in a stable manner as quickly as possible and realize [the goal of] escaping poverty and gaining wealth, with an emphasis on increasing the self-improvement ability of the rural poor. Continue to increase investment in poverty relief, increase the degree of advancement of the entire village, improve the quality of workforce job retraining, improve the poverty relief levels of industrialization. Provide preferential support to development of poverty relief in old revolutionary areas, ethnic [minority] areas, and border areas, actively and reliably realize poverty relief for migrants, engage in comprehensive problem-solving for special types of poor regions. Fully give free rein to the effects of vocational poverty relief, continue to motivate all parts of society to participate in the cause of poverty relief, actively develop international exchange and cooperation in the area of poverty eradication.

Every level of the CCP Standing Committee and the government must adhere to giving the solution of the problems of agriculture, rural areas, and farmers top priority in the work of the entire party and in the entire work of the government; earnestly strengthen and improve the Party’s leadership in rural work; ensure implementation of all of the Party’s rural policies. Solidly develop activities in rural areas to thoroughly learn and implement a scientific development mindset, make grain production, increasing farmers’ incomes, protection of farmland, environmental management, [and] peace

⁸ *Translator’s Note:* “Home Appliances Go to the Countryside” is a government program that provides rural consumers with a subsidy to purchase home appliances. *Appliance Rebate Program Targets Rural China*, USATODAY, Feb. 6, 2009, http://www.usatoday.com/news/world/2009-02-05-chinabuy_N.htm (last visited Oct. 21, 2009).

and stability into important content for performance evaluations of local and especially county (city) leadership in accordance with the requirements of a scientific development mindset and correct views on evaluating cadres' performances, establish indicators as quickly as possible, conduct supervision and inspection seriously. Pay adequate attention to the complementary development of a village-level organization that has the village party as its core, deepen the rural party's development of the "Three Levels Innovate Together"⁹ activity, renew the way in which the rural party organization is set up, expand the organizational coverage and occupational coverage of the party in rural areas. Establish and perfect a unified mechanism among urban and rural areas for supervising developments among party members, strengthen the educational supervision of rural-migrant-worker party members. Widely develop activities to promote competition and excellence. Perfect activities and vehicles for posting party members, setting their duties, having them undertake responsibilities according to their post, [as well as] other [activities and vehicles]. Strengthen the development of fine rural Party culture and keeping [the Party's] organization clean, properly carry out the supervision and inspection of the conditions of thorough implementation of the Party's rural policies, earnestly solve significant problems that hurt farmers' welfare. [After this the CCP and State Council list more measures to improve conditions and the quality of local officials in rural areas, including a guaranteed old-age pension and ensuring that their base salaries do not fall below what is paid to the average local farm worker.] Strengthen the development of democracy and the rule of law as well as spiritual and civilization development in rural areas; thoroughly advance [principles of] open governmental affairs, open village affairs and open Party affairs. Attach great significance to the work of social stability in rural areas, appropriately solve significant conflicts and problems that have been caused, [including] requisition of rural land, environmental pollution, migration of people, disposition of collective financial resources [and] other [conflicts and problems], complete the work of rural "letters and visits"¹⁰ as well as of comprehensive management of

⁹ *Translator's Note:* "Three Levels Innovate Together" is the name of a program in which three levels of the Chinese Communist Party (the county, township and village levels) promote development of rural grassroots Party organizations. *Wei jian she she hui zhu yi xin nong cun ti gong jian qiang zu zhi bao zheng — quan guo nong cun dang de jian she "san ji lian chuang" huo dong ji shi* [Providing a Firm Organizational Guarantee to Develop a New Socialist Countryside — A Report on the Development of "Three Levels Innovate Together" Activity by Rural Party [Organizations] Across the Country], XINHUA.NET, Jan. 3, 2007, http://news.xinhuanet.com/politics/2007-01/03/content_5562332.htm (last visited Oct. 21, 2009).

¹⁰ *Translator's Note:* The system of "letters and visits" (*xin fang*) consists of "letters and visits" bureaus that exist in all Chinese government organs, including the courts. Carl F. Minzner, *Xinfang: An*

societal public security, advance the building up of village police, oppose and condemn the use of religion and religious influence to interfere with rural public affairs, take strict precautions against foreign hostile influences penetrating rural areas, maintain the harmony and stability of rural society.

Completing 2009's work [related to] agriculture and villages has great significance. We should closely gather around the Party Central Committee with Comrade Hu Jintao as its Head Secretary, giving free rein to [our] eagerness to make progress, solidly working, facing difficulties while forging ahead, [and] sparing no effort in pioneering the new face of rural reform and development!

Alternative to Formal Chinese Legal Institutions, 42 STAN. J. INT'L L. 103, 104 (2006). In this system, Chinese citizens can "petition" the "letters and visits" bureaus, *id.*, in hopes that key CPC officials will intervene to solve a problem or a dispute. *See id.* at 105. These bureaus and the petitions they entertain "exist uneasily alongside, and sometimes within, China's 'formal legal institutions.'" *Id.*