



PTT Exploration and Production Public Company Limited

PTTEP Involuntary Resettlement Guideline

Document Code: 12088-GLD-02-00

No. 2

Revision No. 0

Revision Date: October 2015

**Approval Register**

| | |
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| Document Subject | PTTEP Involuntary Resettlement Guideline |
| Document Code | 12088-GLD-02-00 |
| Document Owner | TCM |
| Prepared by | Siriphong Fuenglikhit |
| Effective Date | 15 October 2015 |

Approval

| | | Signature | Date |
|--------------------|---|--|------------|
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| Revision History | | | |
|-------------------------|-------------------------|-----------------------|--------------|
| Rev. | Description of Revision | Authorized by | Date |
| 0 | New Document | Siriphong Fuenglikhit | October 2015 |
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Table of Contents

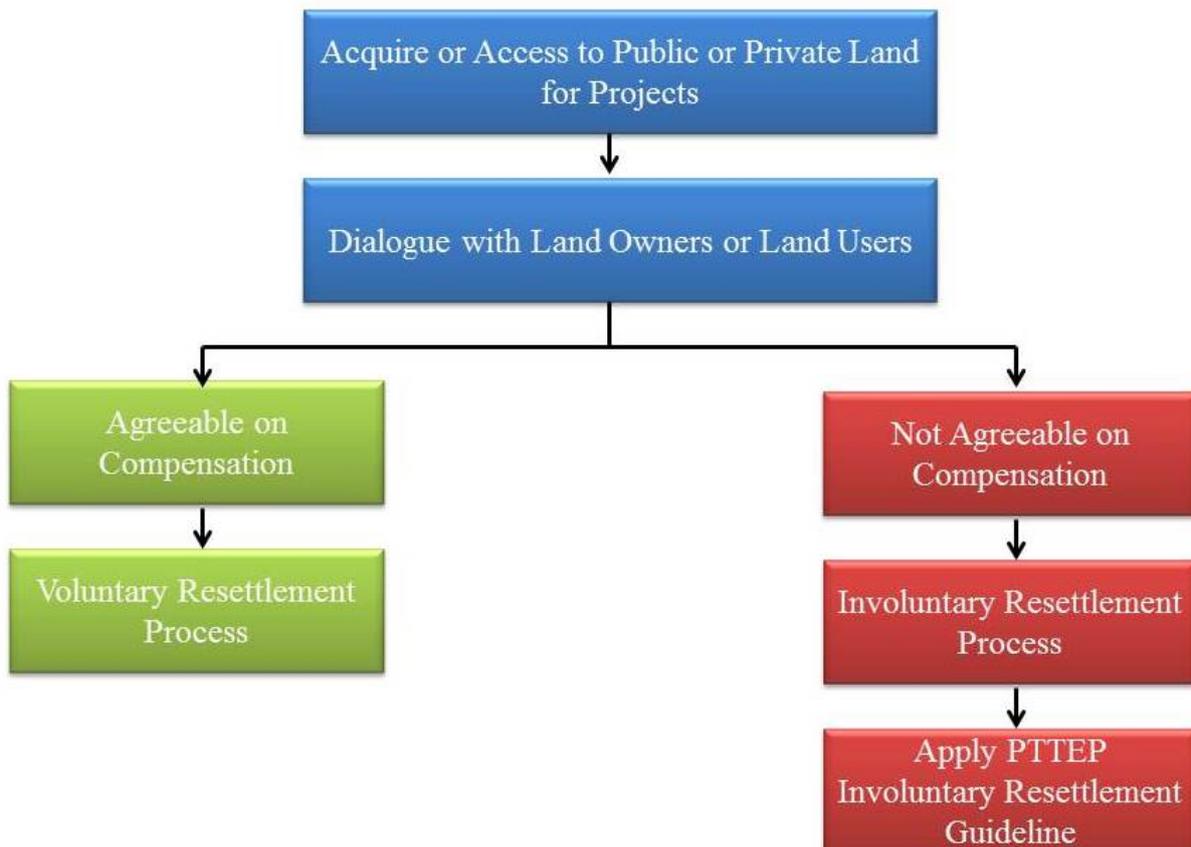
| | |
|---|----|
| 1. Introduction | 1 |
| 2. Purpose | 2 |
| 3. Scope of Application | 2 |
| 4. Languages | 3 |
| 5. Terminology | 3 |
| 6. Acronyms | 5 |
| 7. Overview of Involuntary Resettlement Process | 6 |
| 8. Impact Identification | 6 |
| 9. Stakeholder Engagement | 7 |
| 10. Indigenous People and Free Prior and Informed Consent | 8 |
| 11. Compensation | 8 |
| 12. Resettlement and Livelihood Restoration | 11 |
| 13. Monitoring and Evaluation | 13 |
| 14. Disclosure, Informed Consultation and Participation | 13 |
| 15. Grievance Mechanism | 15 |

1. INTRODUCTION

PTTEP operations and activities need to acquire or access to public or private land. Often, this land will be occupied or utilized in some manners. As a result, acquiring land or land use rights for a given project may cause **physical displacement** e.g. relocation or **economic displacement** e.g. loss of assets, shelters or access to assets that lead to loss of income sources or both.

Company prime objective is to acquire land or access to land through voluntary agreement with land owners or users rather than through law enforcement. PTTEP Involuntary Resettlement Guideline has been developed to advise key activities concern prior implementation.

Figure 1 Decision Tree for Involuntary Resettlement Guideline Application



2. PURPOSE

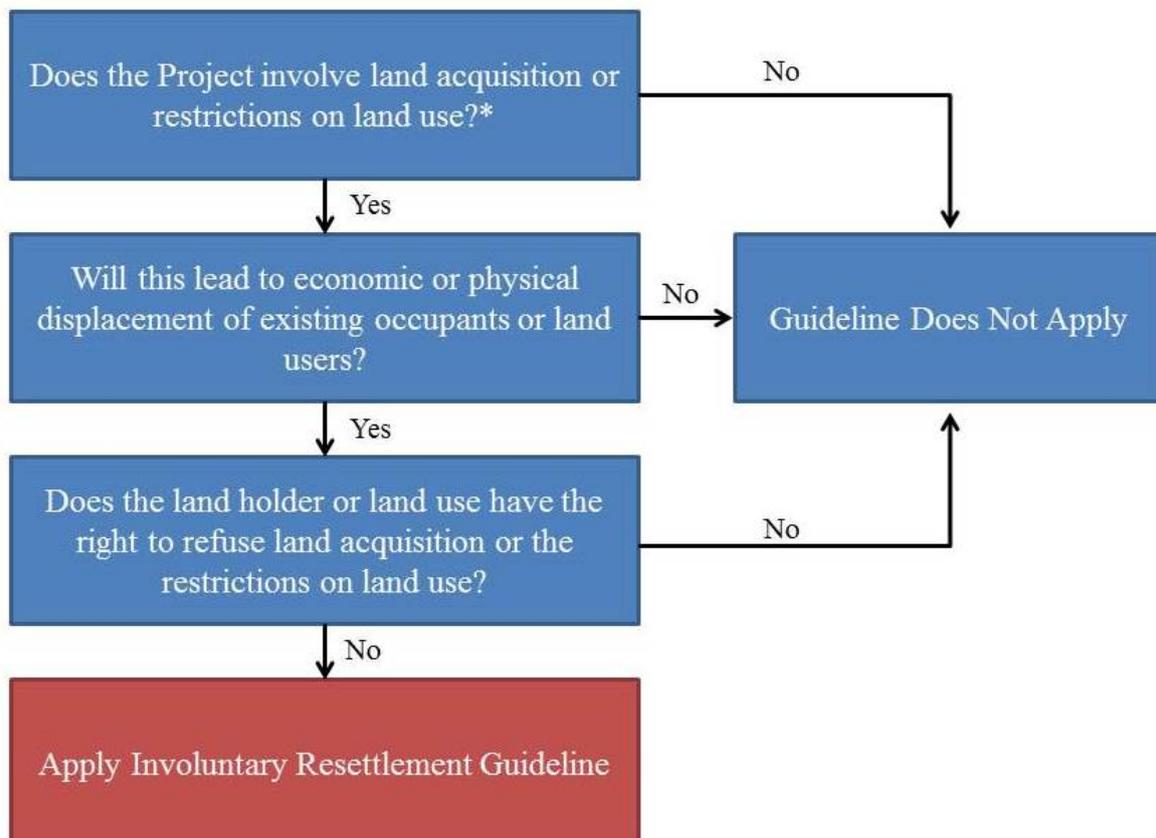
The purpose of this guideline is to provide an understanding in areas of impacts to community from involuntary resettlement as well as to underscore PTTEP’s intention to manage land acquisition process to avoid adverse impacts on people and communities, or when avoidance is not possible, to minimize and/or compensate for such impacts through equitable, transparent and fair procedures and informed consultation.

It’s recommended that any resettlement process undertaken by Company **should** only be done with direct involvement of competent professionals who have on-ground and project management experience on resettlement. Company **should** appoint a Resettlement Project Manager to oversee the resettlement process with the assistance of relevant consultants.

3. SCOPE OF APPLICATION

This guideline applies to PTTEP and all its subsidiaries and covers all ongoing and future projects, including new acquisitions, which involve potential impacts on people from the acquisition of land. This guideline **should** be used to comply with local laws and country constitution.

Figure 2 - Application Decision



* Acquisition or restrictions on land use include full or partial, and temporary or permanent acquisition.

Involuntary resettlement occurs in case of:

- (1) Lawful expropriation or restriction on land use based on eminent domain and
- (2) Negotiated settlements in which the buyer can resort to expropriation or impose legal restrictions on land use if negotiations with the seller fail.

4. LANGUAGES

In this document, the words should and shall have the following meanings:

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| May | Indicates a possible course of action |
| Must | Indicates a mandatory and regulatory course of action |
| Shall | Indicates a mandatory course of action |
| Should | Indicates a preferred or logical course of action |

5. TERMINOLOGY

| Terminology | Description |
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| COMPENSATION | Payment in cash or in kind and given in exchange for the taking of land, or loss of other assets. |
| COMPLETION AUDIT | Audit that take place once resettlement is deemed to have been implemented and achieved its objectives. A successful completion audit usually terminates the developer’s obligations to resettlement assistance. |
| CUT-OFF DATE | The completion date of the census of project-displaced persons is usually considered the cut-off date. Anyone that settles in the project area after the cut-off date will not be entitled to compensation or resettlement assistance. Similarly, any new structures or improvements made to the land after this date will not be compensated |
| ECONOMIC DISPLACEMENT | Loss of assets or access to assets that leads to loss of income sources or other means of livelihood <i>except the safe zone area that stipulate by law or government regulations.</i> |
| EXPROPRIATION | Process whereby a public authority, usually in return for compensation, requires a person, household, or community to relinquish rights to land that it occupies or otherwise uses. |
| GRIEVANCE MECHANISM | Affordable and accessible procedures for third-party settlement of disputes arising from resettlement; such grievance mechanisms should take into account the |

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| | availability of judicial recourse and community and traditional dispute settlement mechanisms. |
| INDIGENOUS PEOPLE | <p>Indigenous people are used in a generic sense to refer to a distinct social and cultural group possessing the following characteristics in varying degrees:-</p> <ul style="list-style-type: none"> • Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; • Collective attachment, i.e., whose identity as a group or community is linked, to geographically distinct habitats or ancestral territories in the Project area and to the natural resources in these habitats and territories; • Customary cultural, economic, social, or political institutions that are separate from those of the dominant society or culture; and • An indigenous language, often different from the official language of the country or Region. |
| LAND ACQUISITION | Land acquisition includes both outright purchases of property and acquisition of access rights, such as easements or rights of way. |
| LIVELIHOOD | The full range of means that individuals, families, and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade, and bartering. |
| LIVELIHOOD RESTORATION | Re-establishing productive livelihood of the displaced persons to a level equal to or, if possible, better than before resettlement. |
| PHYSICAL DISPLACEMENT | Relocation, loss of residential land, or loss of shelter as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas |
| PROJECT-AFFECTED PERSON | People affected by land use or appropriation needs of the project. These people are affected because they may lose shelter or be denied or restricted access to economic assets, income sources, or means of livelihood. |
| PROJECT-AFFECTED HOUSEHOLD | Households as units affected by land use or appropriation needs of the project as for project affected people above |
| RESETTLEMENT ACTION PLAN | The document prepared whenever people are displaced physically or economically from land or other fixed resource rights they own or occupy, without their being a “willing seller” or the possibility of rejecting the loss. The plan is the record of the process of analyzing baseline |

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| | conditions, predicting impacts, consulting affected people, and drawing up a detailed strategy for: (a) minimizing or avoiding resettlement; (b) compensating for losses; (c) relocating and rebuilding as necessary; and (d) ensuring that affected people are afforded the opportunity to improve the incomes, income-producing activities, and standards of living that they had before the project affected them, or at a minimum to restore the incomes and living standards that they would have had if the project had not affected them. The RAP is often linked to the ESIA process, subject to public disclosure, and is normally the responsibility of the project sponsor. |
| STAKEHOLDERS | Persons or groups who are affected by or can affect the outcome of a project. These can include affected communities, local organizations, NGOs and government authorities. Stakeholders can also include politicians, commercial and industrial enterprises, labor unions, academics, religious groups, national social and environmental public sector agencies and the media |
| STAKEHOLDER ENGAGEMENT | Structured format of engagement with those deemed to be relevant stakeholders. |
| VULNERABLE GROUPS | People, households or communities deemed to be disproportionately likely to experience the impacts of resettlement |

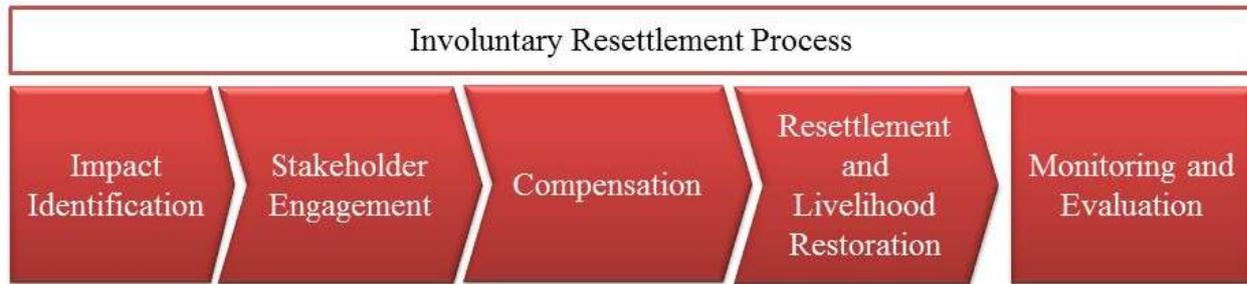
SOURCE: IFC (2012) AND ADB (2012)

6. ACRONYMS

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| RAP | Resettlement Action Plan |
| LRP | Livelihood Restoration Plan |
| IFC | International Finance Corporation |
| ADB | Asian Development Bank |
| ESIA | Environment and Social Impact Assessment |
| Company | PTT Exploration and Production Public Company Limited |
| PTTEP | |

7. OVERVIEW OF INVOLUNTARY RESETTLEMENT PROCESS

Figure 3 - Overview of Involuntary Resettlement Process



Source: TCM

8. IMPACT IDENTIFICATION

During the course of its operations and activities, Company may need to acquire or access public or private land. Often, this land will be occupied or utilized in some manner. As a result, acquiring land or land use rights for a given project may cause the displacement of existing land owners and land users. Displacement as a result of project-related land acquisition and/or restrictions on land use may be in the form of Physical displacement or Economic displacement.

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| <p>Expectation</p> | <p>:</p> <ul style="list-style-type: none"> • During the process, the projects shall be screened to determine whether the physical or economic displacement of individuals or communities is likely to be required, and the extent of impacts on the individuals or communities concerned. • The inventory should be carried out and should identify:- <ul style="list-style-type: none"> ○ The number of households likely to be affected and the total number of individuals within each household. ○ The nature of the likely project impacts (e.g. loss of homesteads; loss of, or loss of access to, land and assets; loss of access to economic and social networks). ○ Affected households’ assets (including land) and the nature of their entitlements in relation to land and other assets according to whether they have: <ul style="list-style-type: none"> ▪ Legally recognized rights or claims the land; ▪ Customary claims to land; or ▪ No legally recognized claims or seasonal natural |
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| | | <p>resource users such as herders, fishing families, hunters and gatherers who may have interdependent economic relations with communities located within the project area.</p> <ul style="list-style-type: none"> ○ The nature and extent of land or assets to be lost (size and quality of dwellings, land, assets) and their value. |
| Focal Point | : | <ul style="list-style-type: none"> ● Asset ER or Asset Resettlement Manager |
| Related Document to Support Implementation | : | Environmental Impact Assessment for Exploration and Production (SSHE-106-PDR-401) |

9. STAKEHOLDER ENGAGEMENT

Stakeholder engagement is fundamental to successful resettlement. Early communication helps to manage public expectations concerning the impacts of a project and its expected benefits. Stakeholder engagement encompasses a range of activities and interactions over the life of the resettlement process. It refers to a process of sharing information and knowledge, seeking to understand and respond to the concerns of potentially impacted or affected individuals, and building relationships based on trust.

All households and communities that may potentially be affected by the land acquisition process, or who have a role in the process, should be included in the community engagement process using suitable, culturally appropriate methods of engagement.

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| Expectation | : | <ul style="list-style-type: none"> ● Stakeholder engagement plan must cover pre-, during and post-resettlement. ● Stakeholders shall be identified with cover to vulnerable group, indigenous people and ethnic minorities. ● Should have details of stakeholder who will be engaged. ● Stakeholder prioritization shall be performed to help to focus engagement, being particularly influential and highlighted impacted. ● Stakeholder engagement strategy shall be developed and implemented. |
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| | | <ul style="list-style-type: none"> • Special stakeholder engagement plan with affected indigenous peoples as well as individuals belonging to vulnerable groups shall be developed in accordance with applicable national and international laws to obtain the Free, Prior and Informed Consent (FPIC). • Engagement process and results should be tracked and communicated to relevant stakeholders. |
| Focal Point | : | <ul style="list-style-type: none"> • Asset ER or Asset Resettlement Manager |
| Related Document to Support Implementation | | <ul style="list-style-type: none"> • Sustainable Development Management Guideline (SD-2000-GDL-001) • IPIECA Community Grievance Mechanisms toolbox (2014) • FPIC in IFC Performance Standard 7 Indigenous Peoples |

10. INDIGENOUS PEOPLE AND FREE PRIOR AND INFORMED CONSENT

International standards have specific requirements associated with consultation with indigenous people, who are considered especially vulnerable to resettlement impacts. These engagement requirements include the need to establish an on-going relationship with affected communities of indigenous people as early as possible in the project planning and throughout the life of the project

Indigenous peoples **should** be informed (in appropriate, accessible language) about projects that may take place on their land, and requires that they be given the opportunity to give or withhold their consent to a project before it commences. This requires a more intensive and rigorous engagement process than ICP (Informed Consultation and Participation), including the development and documentation of a mutually-accepted decision making process and evidence of an agreement between parties (the project and indigenous people) as an outcome of negotiations. Establishing consent does not necessarily require unanimity and **may** be achieved even when individuals or groups within the community explicitly disagree

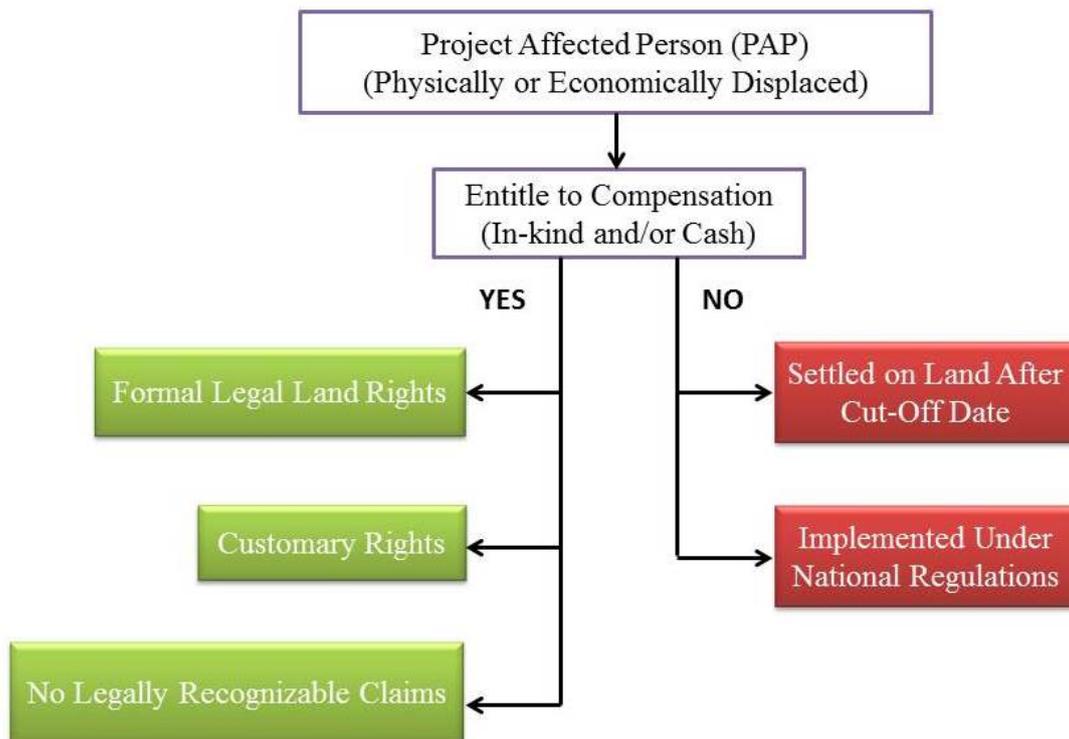
11. COMPENSATION

In line with international best practice, PTTEP seeks to ensure that compensation results in similar or improved living conditions and livelihoods of the affected persons. Critically, those

impacted must not be worse off post displacement.

Compensation to economically or physically displaced people for assets or access to assets should be provided at replacement cost.

Once compensation is agreed, the nature of the compensation and how it is to be made needs to be determined. Compensation can be made in land and buildings, in cash or in-kind contributions such as community projects.



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| <p>Expectation</p> | <p>:</p> <ul style="list-style-type: none"> • The cut-off date must be determined in consultation with the project affected persons and should be well communicated, documented and disseminated. • Anyone that settles in the project area after the cut-off date shall not be entitled to compensation or resettlement assistance. • Eligible for compensation should be given advance notice of the date, time and place of payments and may consider informing them via public announcement. • Affected Communities of Indigenous Peoples shall be informed of their land rights and recognized customary use rights under |
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| | <p>national law as well as their eligibility for compensation during stakeholder engagement.</p> <ul style="list-style-type: none"> • Eligibility, delivery, and distribution of compensation or other benefit sharing measures to the Affected Communities of Indigenous Peoples and Vulnerable Groups should be documented. • Compensations to affected persons may be made in-kind or cash or both as well as can either be individually or collectively based, or be a combination of both. • The compensation should enable the affected persons to restore their assets lost. Additional assistance may be considered to help restore income levels to pre-resettlement levels. • The affected persons should receive all or a significant proportion of compensation for their assets and be resettled before Company takes possession of the land and before work begins or according to the agreed. • Receipt must be signed by all those receiving compensation payments and retained for auditing purposes. In cases where illiteracy is an issue, culturally acceptable alternative communication and signature processes e.g. finger – printing should be identified. • The payment of compensation and resettlement assistance should be monitored and verified by representatives of Company as well as representative of the Affected Communities. • Company should collaborate with local government authorities, wherever feasible, in the distribution of compensation payments. • The payment of large sums of money into cash poor communities can also cause stress, tension and division. Company may provide financial counselling and training prior to payment being made. |
| Focal Point | : <ul style="list-style-type: none"> • Asset ER or Asset Resettlement Manager |
| Related Document to Support Implementation | : <ul style="list-style-type: none"> • Applicable national laws of operating assets • IFC Performance Standard 7 Indigenous Peoples • IFC Performance Standard 8 Cultural heritage |

12. RESETTLEMENT AND LIVELIHOOD RESTORATION

Livelihoods usually rely on a complex interconnection of assets such as access to land, marine and other natural resources, social networks, and access to employment and capital. As such, compensation alone does not guarantee the restoration of livelihoods or social welfare of displaced persons.

Careful planning is required to ensure that, where resettlement is unavoidable, livelihoods are restored properly and communities retain social and cultural integration and continuity. Rural and urban resettlement presents different challenges, with the former typically requiring a focus on land and natural resources while the latter affects housing, employment and enterprises. While the effects of resettlement are common to both men and women, women are often more adversely affected and this should be taken into account in the planning and implementation of resettlement and livelihood restoration.

The host communities (communities to which displaced people are relocated) should be included in the overall resettlement planning and measures should be taken to minimize adverse socioeconomic and cultural impacts on them.

There may be situations when it is not possible to develop a fully-fledged RAP/LRP (e.g.: if the exact nature or extent of the land acquisition is unknown). In such cases, it is best to develop a high level planning document (often referred to as a Resettlement Policy or Livelihood Restoration Framework). This outlines the general principles of the intended resettlement process and provides a helpful initial planning tool until the information required to complete the RAP becomes available.

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| Expectation | <p>:</p> <ul style="list-style-type: none"> • A Resettlement Action Plan (RAP) and/or Livelihood Restoration Plan (LRP) should be prepared for any project that results in physical displacement and/or economic displacement. A RAP/LRP seeks to identify and manage the impacts and risks associated with a resettlement and identify potential development benefits. • Contents of a RAP may consist of : <ul style="list-style-type: none"> ○ Information to demonstrate that resettlement is unavoidable and efforts were taken to avoid and minimize resettlement. ○ Identify project impacts, affected populations and |
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| | <p>inventory of affected assets.</p> <ul style="list-style-type: none"> ○ Describe legal and regulatory framework. ○ Describe the process for the participation, consultation and engagement with affected people. ○ Describe the compensation framework including entitlements of all categories of displaced people and enumeration rates for lost land or assets. ○ Provide details of replacement housing and the resettlement site, including allocation of land titles. ○ Describe plans for livelihood restoration and resettlement assistance. ○ Outline the budget and schedule for the implementation of the RAP / LRP. ○ Outline roles and responsibilities for different aspects of resettlement (Company, Government and other partners). ○ Describe the grievance procedure. ○ Describe the procedure for monitoring and evaluation (including completion audit). <ul style="list-style-type: none"> ● Development and implementation of the RAP/LAP should be done by qualified and experienced personnel. ● LAP may be developed after consult with the affected persons. The agreement should be documented. ● Company may consider restoring livelihood of affected persons that impact to their land or wage or enterprise. ● Resettlement planning may involve public and private organizations, or nongovernmental organizations, as well as different levels of government. The roles and responsibilities of all involved parties must be clearly detailed in the RAP / LRP. |
| Focal Point | : ● Asset ER or Asset Resettlement Manager |
| Related Document to Support Implementation | : |

13. MONITORING AND EVALUATION

Monitoring activities must be adequately funded and integrated into the overall RAP management process and budget. The RAP must identify the organizational responsibilities, methodology, and schedule for monitoring and reporting. The four components of a monitoring plan should be:

1. **Stakeholder engagement:** Affected stakeholders should be engaged before, during and after resettlement on a regular basis in order to identify successes and problems.
2. **Performance monitoring:** Continuous monitoring and documentation of the issues identified to measure progress against the milestones established in the RAP.
3. **Impact monitoring:** Evaluating the effectiveness of the RAP and its implementation in meeting the needs of the affected population.
4. **Completion Audit:** The completion audit should show that the resettlement process is completed by determining that all measures taken to restore the living standards of the Affected Community have been fully implemented and achieved their desired outcomes.

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| Expectation | : | <ul style="list-style-type: none"> • Monitoring should be conducted until a successful completion audit has been conducted. • Monitoring may undertake by an independent consultancy (preferably with resettlement experience), academic or research institution or an NGO. • The Company resettlement project team should meet after each monitoring exercise to consult over findings of the monitoring evaluation and whether steps should be taken to rectify issues that have been highlighted. |
| Focal Point | : | <ul style="list-style-type: none"> • Asset ER or Asset Resettlement Manager |
| Related Document to Support Implementation | : | - |

14. DISCLOSURE, INFORMED CONSULTATION AND PARTICIPATION

Disclosure

Disclosure of relevant information ensures that Affected Communities and other stakeholders understand the risks, impacts and opportunities associated with the resettlement process and the project more widely.

Informed Consultation and Participation (ICP)

Informed Consultation and Participation (ICP) refers to an organized and iterative process of consultation, whereby the views of affected people and communities on matters that affect them directly are considered in decision-making processes.

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| Expectation | <p>:</p> <ul style="list-style-type: none"> • Asset must complying with any government disclosure requirements • In keeping with international best practices, Company must ensure that the Resettlement Action Plan (RAP) document is available throughout the project geographic area. • Summaries of the RAP should be provided in a culturally appropriate format, in relevant local language(s) for public disclosure through distribution to accessible points within the project area. • The disclosure period should allow all interested and affected parties sufficient time to understand and submit their comments and concerns about the RAP. The final RAP should take into account any comments and issues raised during the disclosure process. • The consultation process should be tailored to the language preferences of the Affected Communities, their decision-making process, and the needs of disadvantaged or vulnerable groups. Consultation should begin early and capture men’s and women’s views and concerns. • All categories of households and communities should be consulted about their options and rights regarding displacement and compensation, whether individually or through representative sampling if the numbers are large, and particular attention should be paid to vulnerable groups. |
| Focal Point | <p>:</p> <ul style="list-style-type: none"> • Asset ER or Asset Resettlement Manager |
| Related Document to Support Implementation | <p>:</p> <ul style="list-style-type: none"> • PTTEP Sustainability Reporting Guideline (12052-GDL-007) • GRI G4 Reporting Principles and Standard Disclosures |

15. GRIEVANCE MECHANISM

Involuntary resettlement is likely to give rise to grievances among affected households and communities. Timely redress of grievances through an effective and transparent grievance mechanism is vital to the satisfactory implementation of resettlement and to completion of the project on schedule.

The key requirements of the grievance mechanism are as follows:

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| <p>Expectation</p> | <p>:</p> <ul style="list-style-type: none"> • The grievance mechanism and the procedures that will be followed shall be made known to the communities at the start of the stakeholder engagement process; • Communities shall be made aware of the grievance mechanism as part of stakeholder engagement activities. The grievance mechanism process and key contact details to access the mechanism will be publicized on the project webpage. • The mechanism should enable affected persons to raise grievances confidentially without retribution; • Special provisions should be made for women and vulnerable and marginalized groups to voice their concerns or make complaints • Concerns should be addressed promptly, transparently and in a culturally appropriate manner that is understandable to the affected persons; • All grievances and responses shall be recorded in writing including the date and nature of the complaints, any follow-up actions taken, the final decision and how this was communicated to the stakeholders; • The mechanism shall not impede access to judicial or administrative processes; • Where grievances are unresolved between the project and affected persons, it will be possible for the affected person to redirect the grievance through a formal route to external/neutral experts to address. • Processes for resolving disputes should involve an independent third party if necessary and should take into consideration any |
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| | <p>customary or traditional methods of dispute resolution. A hierarchy of dispute resolution options could be established. For example, a local level dispute resolution process could lead, if unsuccessful, to mediation and eventually to arbitration by national and, eventually, international dispute resolution bodies. The dispute resolution process should be agreed and supported by all stakeholders.</p> <ul style="list-style-type: none"> • The grievance mechanism should be easy for stakeholders to assess and use. Company should ensure that designated staffs are trained and available to receive grievances and coordinate efforts to redress those grievances through the appropriate channels. |
| Focal Point | : <ul style="list-style-type: none"> • Asset ER or Asset Resettlement Manager |
| Related Document to Support Implementation | : <ul style="list-style-type: none"> • PTTEP Reporting and Whistleblowing Regulation 2013 (No.1) • PTTEP Incident Management Standard (SSHE-106-STD-600) • IPIECA Operational level grievance mechanisms (November 2012) • IPIECA Community Grievance Mechanisms toolbox (2014) |