

PTT Exploration and Production Public Company Limited

PTTEP Involuntary Resettlement Guideline

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Prepared by	Chadamas Kamolsripanit
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	Review (if any)		
	Name	Signature	Date
Document Reviewer	Natthaweena Suebjaksing HSR/P	N. Fri	26 Oct 2022

Approval			
Name		Signature	Date
Approval Authority	Bussaban Cheencharoen HSR	(Brend	26 Oct 2022



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0	New Document	Siriphong Fuenglikhit	October 2015
1	 Reformat overall document: 1.1) Relocation the label details of each figure to be aligned with their topic 1.2) Add details of Figure 4: Compensation Add 3 Acronyms: 1.1) ICP – Informed Consultation and Participation 2.2) FPIC – Free, Prior, and Informed Consent 2.3) PAP – Project Affected Person 2.4) ESIA - Environment and Social Impact Assessment Revise References 	HSR	30 September 2021



	 6. Categorize Disclosure, Informed Consultation and Participation to be the subtopic of No.8 Disclosure, Informed Consultation and Participation as follow: 6.1) Disclosure 		
	6.2) Informed Consultation and Participation		
2	Add 10. References and sources details	HSR	26 October 2022

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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 landowners or users rather than through law enforcement. PTTEP Involuntary Resettlement Guideline has been developed to advise key activities concern prior implementation.

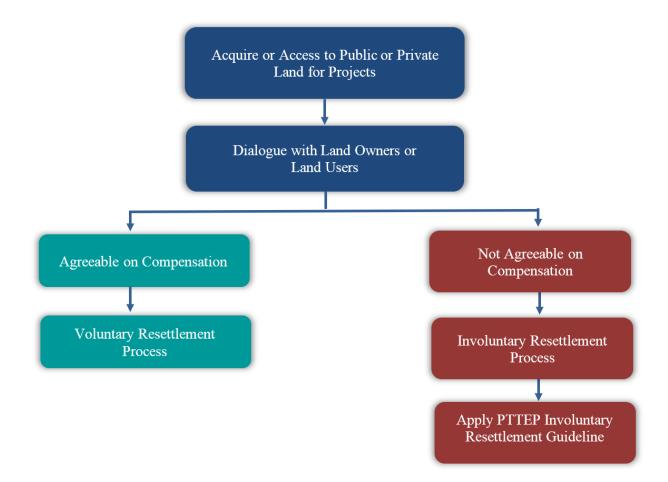


Figure 1: Decision Tree for Involuntary Resettlement Guideline Application



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.

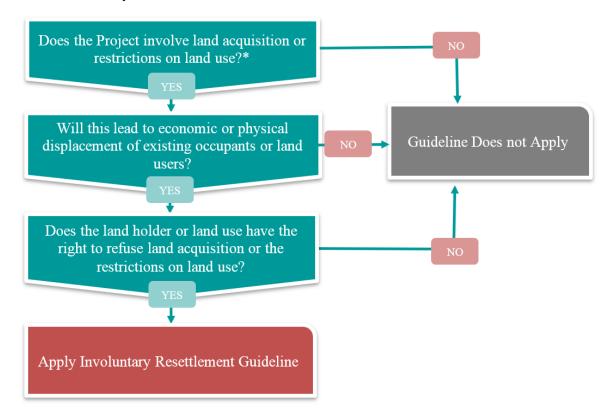


Figure 2: Application Decision



* 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:

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
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 takes 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 except the safe zone area
	that stipulate by law or government regulations.
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 consider the availability of judicial recourse and community and traditional dispute settlement mechanisms.
Indigenous People	 Indigenous people are used in a generic sense to refer to a distinct social and cultural group possessing the following characteristics in varying degrees: - 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 because 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	Households as units affected by land use or appropriation needs
Household	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



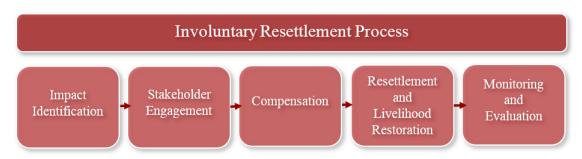
	rights they own or occupy, without their being a "willing
	seller" or the possibility of rejecting the loss. The plan is the
	record of the process of analyzing baseline conditions,
	predicting impacts, consulting affected people, and drawing
	up a detailed strategy for: (a) minimizing or avoiding
	resettlement; (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	Structured format of engagement with those deemed to be
Engagement	relevant stakeholders.
Vulnerable Groups	People, households, or communities deemed to be
	disproportionately likely to experience the impacts of
	resettlement
SOURCE, IEC (2012) AND	

SOURCE: IFC (2012) AND ADB (2012)

6. Acronyms

RAP	Resettlement Action Plan
LRP	Livelihood Restoration Plan
IFC	International Finance Corporation
ADB	Asian Development Bank
ICP	Informed Consultation and Participation
FPIC	Free, Prior and Informed Consent
РАР	Project Affected Person
ESIA	Environment and Social Impact Assessment
Company	PTT Exploration and Production Public Company Limited
РТТЕР	TTT Exploration and Troduction Tuble Company Emilieu





7. Overview Of Involuntary Resettlement Process

Figure 3 - Overview of Involuntary Resettlement Process

7.1 Impact Identification

During 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 landowners and land users. Displacement because of project-related land acquisition and/or restrictions on land use may be in the form of Physical displacement or Economic displacement.

Expectation	• 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: -
	• 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:
	 Legally recognized rights or claims the land.
	 Customary claims to land; or
	 No legally recognized claims or seasonal natural



	resource users such as herders, fishing families,
	hunters and gatherers who may have
	interdependent economic relations with
	communities located within the project area.
	\circ The nature and extent of land or assets to be lost (size and
	quality of dwellings, land, assets) and their value.
Focal Point	Asset ER or Asset Resettlement Manager
Related	Environmental Impact Assessment for Exploration and Production
Document to	(12146-PDR-SSHE-401/01-R02)
Support	
Implementation	

7.2 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. **However, for Indigenous People,** 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- m a k i n g 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

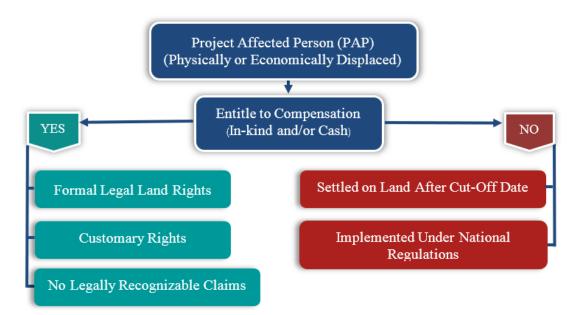
Expectation	• Stakeholder engagement plan must cover pre-, during and post-
	resettlement.
	• Stakeholders shall be identified with cover to vulnerable group ,
	indigenous people, and ethnic minorities.
	• Should have details of stakeholder who will be engaged.
	• Stakeholder prioritization shall be performed to help to focus
	engagement, being particularly influential and highlighted
	impacted.
	• Stakeholder engagement strategy shall be developed and
	implemented.
	• 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	Asset ER or Asset Resettlement Manager
Related	Sustainable Development Management Guideline (SD-2000-
Document to Support Implementation	GDL-001-R02)
	• IPIECA Community Grievance Mechanisms toolbox (2014)
	• FPIC in IFC Performance Standard 7 Indigenous Peoples

7.3 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.





Expectation	• 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
	national law as well as their eligibility for compensation during
	stakeholder engagement.
	• 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	Asset ER or Asset Resettlement Manager
Related	Applicable national laws of operating assets
Document to Support	IFC Performance Standard 7 Indigenous Peoples
Implementation	IFC Performance Standard 8 Cultural heritage



7.4 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 considered 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.

Expectation	•	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:
		• Information to demonstrate that resettlement is



		unavoidable, and efforts were taken to avoid and minimize
		resettlement.
	0	Identify project impacts, affected populations and
		inventory of affected assets.
	0	Describe legal and regulatory framework.
	0	Describe the process for the participation, consultation, and
		engagement with affected people.
	0	Describe the compensation framework including
		entitlements of all categories of displaced people and
		enumeration rates for lost land or assets.
	0	Provide details of replacement housing and the
		resettlement site, including allocation of land titles.
	0	Describe plans for livelihood restoration and resettlement
		assistance.
	0	Outline the budget and schedule for the
		implementation of the RAP / LRP.
	0	Outline roles and responsibilities for different
		aspects of resettlement (Company, Government, and
		other partners).
	0	Describe the grievance procedure.
	0	Describe the procedure for monitoring and evaluation
		(including completion audit).
	• Develo	opment and implementation of the RAP/LAP should be done
	by qua	lified and experienced personnel.
	• LAP n	nay be developed after consult with the affected persons. The
	agreen	nent should be documented.
	Compa	any may consider restoring livelihood of affected persons
	that in	pact to their land or wage or enterprise.
	• Resett	lement planning may involve public and private
	organi	zations, or nongovernmental organizations, as well as
	differe	nt levels of government. The roles and responsibilities of
	all inv	olved parties must be clearly detailed in the RAP / LRP.
Focal Point	• Asset	ER or Asset Resettlement Manager



Related	N/A
Document to	
Support	
Implementation	

7.5 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:

- **Stakeholder engagement:** Affected stakeholders should be engaged before, during and after resettlement on a regular basis in order to identify successes and problems.
- **Performance monitoring:** Continuous monitoring and documentation of the issues identified to measure progress against the milestones established in the RAP.
- **Impact monitoring:** Evaluating the effectiveness of the RAP and its implementation in meeting the needs of the affected population.
- **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.

Expectation	 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
Focal Point	 Asset ER or Asset Resettlement Manager
Related	N/A
Document to	
Support	
Implementation	



8. Disclosure, Informed Consultation and Participation

8.1 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.

8.2 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.

Expectation	• Asset must comply 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 consider 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	Asset ER or Asset Resettlement Manager
Related Document to Support Implementation	 PTTEP Sustainability Reporting Guideline (12052-GDL-007) GRI G4 Reporting Principles and Standard Disclosures

9. Grievance Mechanisms

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:

Expectation	• 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
	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.
	• 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	Asset ER or Asset Resettlement Manager
Related	Reporting and Whistleblowing Regulation 2013
Document to Support	(BOD-RGL-CGC-007-R02)
Implementation	• Incident Management Standard (11038-STD-SSHE-601-R07)
	IPIECA Operational level grievance mechanisms
	(November 2012)
	• IPIECA Community Grievance Mechanisms toolbox (2014)



10. References

This guideline is referred to:

Rule/Regulation	Document Code/Link
1. Environmental Impact Assessment for Exploration and Production	12146-PDR-SSHE-401/01-R02
2. Sustainable Development Management Guideline	SD-2000-GDL-001-R02
3. IPIECA Community Grievance Mechanisms toolbox (2014)	https://www.ipieca.org/resources/ good-practice/community- grievance-mechanisms-toolbox/
4. FPIC in IFC Performance Standard 7 Indigenous Peoples	https://www.ifc.org/wps/wcm/co nnect/3274df05-7597-4cd3-83d9- 2aca293e69ab/PS7_English_201 2.pdf?MOD=AJPERES&CVID= jiVQI.D
5. IFC Performance Standard 8 Cultural heritage	https://www.ifc.org/wps/wcm/co nnect/fc943593-380d-43a8-89d0- 6256d811f095/PS_8_CulturalHer itage.pdf?MOD=AJPERES&CVI D=jqeFcZZ
6. PTTEP Sustainability Reporting Guideline	12052-GDL-007
7. GRI G4 Reporting Principles and Standard Disclosures	https://respect.international/g4- sustainability-reporting- guidelines-reporting-principles- and-standard-disclosures/
8. Reporting and Whistleblowing Regulation 2013	BOD-RGL-CGC-007-R02
9. Incident Management Standard	11038-STD-SSHE-601-R07
10. IPIECA Operational level grievance mechanisms (November 2012)	https://www.securityhumanrights hub.org/sites/default/files/2020- 04/grievance_mechanisms.pdf