



**Final Report**  
*A Research Study on Social Safeguarding on the Bangkok–  
Nong Khai High-Speed Railway Development*

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One of the ongoing Mekong Safeguards activities is conducting empirical research on the perceptions of local communities and stakeholders on Thailand’s new infrastructure-development project—the **Bangkok–Nong Khai High-Speed Railway Project**. Due to begin service before 2030, this railway project is the first high-speed line in Thailand and a constituent part of the Kunming–Singapore railway central section.

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## List of Abbreviations

<b>ABBREVIATION</b>	
<b>CBO</b>	Community-Based Organization
<b>CODI</b>	Community Organizations Development Institute
<b>CSO</b>	Civil Society Organization
<b>DFAT</b>	Department of Foreign Affairs and Trade
<b>EIA</b>	Environmental Impact Assessment
<b>ESIA</b>	Environmental and Social Impact Assessment
<b>FGD</b>	Focus Group Discussion
<b>GBV</b>	Gender-Based Violence
<b>GESI</b>	Gender Equality and Social Inclusion
<b>GM</b>	Grievance Mechanism
<b>HIA</b>	Heritage Impact Assessment
<b>HSR</b>	High-Speed Railway
<b>IFC</b>	International Finance Corporation
<b>KII</b>	Key Informant Interview
<b>MFLU</b>	Mae Fah Luang University
<b>MNRE</b>	Ministry of Natural Resources and Environment
<b>MOT</b>	Ministry of Transport
<b>MSDHS</b>	Ministry of Social Development and Human Security
<b>NEQA</b>	National Environmental Quality Act
<b>NHSO</b>	National Health Security Office
<b>ONEP</b>	Office of Natural Resources and Environmental Policy and Planning
<b>OTP</b>	Office of Transport and Traffic Policy and Planning
<b>PDR</b>	(Lao) People's Democratic Republic
<b>PS</b>	Performance Standard
<b>PWD</b>	Persons with Disabilities
<b>SEAH</b>	Sexual Exploitation, Abuse, and Harassment
<b>SRT</b>	State Railway of Thailand
<b>TAF</b>	The Asia Foundation
<b>USAID</b>	United States Agency for International Development
<b>VHV</b>	Village Health Volunteers

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## Executive Summary

This report delves into the complex landscape of Thailand’s high-speed railway (HSR) project, which is owned and being developed by the State Railway of Thailand (SRT). The project aims to enhance and improve connectivity within Thailand’s domestic railways and contribute to regional infrastructure efforts. This research encompasses qualitative methods, such as literature reviews, assessments of Environmental Impact Assessments (EIAs), key informant interviews (KIIs), and focus group discussions (FGDs), conducted in four provinces: Bangkok, Ayutthaya, Saraburi, and Nakhon Ratchasima. The HSR project was originally proposed in 2010 but was officially initiated in 2017, and it currently has a standing budget exceeding US\$12 billion. Phase 1 is set to be operational by 2026, and Phase 2 is projected to follow in 2028 or 2029.

The Bangkok–Nong Khai High-Speed Railway project in Thailand is an ambitious endeavor encompassing over 600 kilometers of rail. This project holds immense economic potential in the region and is slated to significantly increase trade and relations between the Southeast Asian nations and China. However, its progress poses questions about the social issues it creates, primarily focusing on social safeguarding of impacted communities living along the proposed railway route.

Three primary objectives have guided this research. First, it builds on the findings from EIA monitoring reports<sup>1</sup> and an earlier study by The Asia Foundation and Mae Fah Luang University (MFLU) on community perceptions of the HSR (henceforth called “MFLU study”), to identify gaps related to social safeguarding and gender issues within community knowledge, perceptions, and problems associated with the HSR construction. Second, the study pinpoints additional communities and vulnerabilities adversely affected by HSR development in the provinces connected through the Phase 1 route. Last, it expands on the policy recommendations for safeguards proposed in the previous study, with a focus on further support for adversely affected communities along the HSR.

While Thailand has a robust legal framework that includes the Constitution of the Kingdom of Thailand B.E. 2560, the National Environmental Quality Act (No. 2) B.E. 2561, the Gender Equality Act B.E. 2558, and the Expropriation and Acquisition of Immovable Property Act B.E. 2562 to protect its citizens, the implementation of these regulations faces challenges when carried out for large-scale infrastructure-development projects led by multiple contractors. Currently, there are 22 different contractors working under different sections of the HSR. This research has identified areas where social safeguards, particularly concerning evictions, relocations, and compensation for affected communities, could benefit from stronger enforcement and more consistent application of existing regulations. The research also identified opportunities to enhance coordination among contractors and government authorities to ensure that legal standards are fully adhered to, thereby safeguarding the rights and well-being of affected communities while keeping the project on track for its commissioning goals.

For example, some community members reported instances where military presence was used to “assist with the relocation process,” along with informal notifications urging residents to vacate their homes or land to comply with the minimum 90-day notice period. In 2017, approximately 450 hectares of land were expropriated from communities for the construction of the HSR, and this number is expected to rise significantly by 2029 upon the estimated full completion of the project. Reports indicate concerns about the methods used to facilitate relocations, with some communities describing a need for greater clarity and communication during this process. These concerns emphasize the need for improved dialogue and engagement to ensure that community grievances are promptly addressed and that appropriate environmental and safety standards are upheld.

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<sup>1</sup> The EIA monitoring reports are prepared by the Division of Environmental Impact Assessment Development, Office of Natural Resources and Environmental Policy and Planning (ONEP), under the Ministry of Natural Resources and Environment.

The research identified a series of findings, including limited compliance with minimum standards, inadequate compensation for evicted community members, insufficient notification period for evictions, loss of livelihoods, and a lack of support mechanisms from public and private entities. The research identified areas where compliance with social safeguards can be strengthened, including providing more adequate compensation for displaced residents, ensuring proper notice periods for relocations, and offering greater support to vulnerable groups, such as women, youth, and the elderly, who face increased risks at relocation sites. As a result, the report recommends increased government involvement, improved communication between public and private stakeholders, and the development of coherent public-private partnerships to better address these issues. The project's success and the well-being of affected communities are directly linked to the swift implementation of these recommendations and a commitment to upholding the legal protections afforded to citizens by Thailand's regulatory framework.

Given that this report was completed in Q2 2024 with data from mid-2023, some information and findings may be outdated, and readers are encouraged to consult more recent updates to ensure an accurate understanding of the project's status.

# 1. Introduction

## 1.1 Development of the Thai High-Speed Railway System

### 1.1.1 Brief History of the HSR in Thailand

The idea for a new railway in Thailand was initially proposed in 2010 alongside other HSRs in the region.<sup>2</sup> However, most of these railway projects were put on hold for several years for reasons that include legal issues and a lack of funding.<sup>3</sup> The HSR project in Thailand supports the strategy of developing Thailand as a regional transport and logistics hub.<sup>4</sup> The total project cost for the HSR development was initially estimated at US\$5.2 billion.<sup>5</sup> As of 2022, with new additions and considerations added to the scope of work and infrastructure development, the project's total cost stands at roughly US\$12 billion<sup>6</sup> and is being wholly funded by the Thai government.<sup>7</sup>



Figure 1: The proposed route for the large-scale HSR project, covering Thailand and Lao PDR, to connect to Kunming in China.

In 2017, the Bangkok–Nong Khai High-Speed Railway Project was officially cleared for launch by the Thai government, and work started under two phases of construction.<sup>8</sup> An EIA for Phase 1 between Bangkok and Nakhon Ratchasima was approved on November 24, 2017. Subsequently, on November 30, 2017, the National Environment Board under the Ministry of Natural Resources and Environment gave approval to start construction of the project.<sup>9</sup> The project was set to be completed in two phases, with Phase 1 covering a distance of approximately 250 kilometers between Bangkok and Nakhon Ratchasima, and Phase 2

<sup>2</sup> Clark, J. *Bangkok–Nong Khai High-Speed Railway*. Future Southeast Asia. November 2020.

<sup>3</sup> Environmental Justice Atlas (EJAtlas). *High-speed train Bangkok–Nong Khai, Thailand*. August 2019.

<sup>4</sup> Project Overview. Bangkok–Nong Khai Section (Phase 1 Bangkok–Nakhon Ratchasima Section). 2021.

<sup>5</sup> Environmental Justice Atlas (EJAtlas). *High-speed train Bangkok–Nong Khai, Thailand*. August 2019.

<sup>6</sup> Zsombor, P. *Thailand Sets 2028 Target to Finish High-Speed Rail Link with China*. VOA Asia. July 2022.

<sup>7</sup> Bangkok Post. *Thailand to go it alone on Thai-Sino high-speed rail*. March 24, 2016:

<https://www.bangkokpost.com/thailand/general/908328/thailand-to-go-it-alone-on-thai-sino-high-speed-rail>

<sup>8</sup> Ibid.

<sup>9</sup> EIA Monitoring Report May–June 2019. Introduction–Chapter 1. 2019.

covering roughly 356 kilometers up to Nong Khai (Figure 1).<sup>10,11</sup> The total length of the HSR is expected to be over 600 kilometers, connecting the capital of Thailand to the northeastern part of the country near Vientiane, Lao PDR. At the time of writing, construction of the Phase 2 route had not started.

*Table 1: Phases of completion for the Bangkok–Nong Khai HSR. (Source: Declaration of Royal Thai Government on August 28, 2022, and Statement of the Director-General, Department of Rail Transport, Ministry of Transportation and Communication and Statement of SRT Governor on April 18, 2024)*

Project Phase	Phase 1	Phase 2
<b>Route</b>	Bangkok to Nakhon Ratchasima	Nakhon Ratchasima to Nong Khai
<b>Length</b>	Approx. 250 kilometers	Approx. 356 kilometers
<b>Est. budget</b>	Approx. 180 billion Thai baht (US\$5.4 billion)	Approx. 341 billion Thai baht (US\$10.2 billion)
<b>Primary investor</b>	Thailand (approved and under construction)	Thailand (pending approval)
<b>Est. completion</b>	2026	2031

### 1.1.2 Construction Progress of the HSR

Despite delays in the construction progress, the Department of Rail Transport stated in 2023 that Phase 1 construction of the HSR was on track to be commissioned in 2026.<sup>12</sup> As of May 2024, SRT provided an update on the civil work contracts for the Phase 1 route, reporting that two contracts had been completed and ten contracts had been awarded, with two civil work contracts still pending signature/approval to begin construction work.<sup>13</sup> This update from the SRT also indicated varying levels of completion for sections of the Phase 1 route, starting from the Central Bang Sue Station in Bangkok up to the Nakhon Ratchasima Terminal. The update stated that a total of 188.55 kilometers was under construction under the ten awarded contracts. In February 2024, SRT agreed to adjust the design of a section of the project in response to complaints from people in Nakhon Ratchasima province, resulting in 28 months of delay.<sup>14</sup> Of the 250 kilometers, only 33.48 percent had been completed as of May 2024.<sup>15</sup>

There are six stations (Figure 2) planned along the Phase 1 route, including stations at Bang Sue (Bangkok), Don Muang (Bangkok), Ayutthaya, Saraburi, Pak Chong, and Nakhon Ratchasima.<sup>16</sup>

At the time of writing, the rail design for the Phase 2 construction from Nakhon Ratchasima to Nong Khai had been completed, with an anticipated total investment of roughly 341 billion Thai baht (approximately US\$10.2 billion).<sup>17</sup> The 356-kilometer length will be constructed through the award of 13 separate contracts. The Phase 2 EIA was reviewed by the Environmental Impact Assessment Division committee, the Office of Natural Resources and Environmental Policy and Planning (ONEP), and approved on

<sup>10</sup> Clark, J. *Bangkok–Nong Khai High-Speed Railway*. Future Southeast Asia. November 2020.

<sup>11</sup> Environmental Justice Atlas (EJAtlas). *High-speed train Bangkok–Nong Khai, Thailand*. August 2019.

<sup>12</sup> Bangkok Post, *High-speed train still on track*, January 2023.

<sup>13</sup> SRT. *Update progress on high-speed train construction project* (in Thai). July 2024. Retrieved from: <https://www.railway.co.th/NewsAndEvents/NewsdetailSRT?value1=00DE5502B5AA7B42A92BE9FF953D8EBD01000000A416675C34C936CA2CC48EBA6ABE6BCB98103C72638C9AACFE5AF210271996125786BB34C657064C6A8481A59E42FBFD&value2=00DE5502B5AA7B42A92BE9FF953D8EBD010000006CC59EC3114740D2620585C54A4747B73BAEF54CBF34DD283F4A12C3>

<sup>14</sup> *Thai PBS World*, SRT agrees changes to design of Thai-Chinese high-speed train project, February 26, 2024

<sup>15</sup> *Ibid.*

<sup>16</sup> Clark, J. *Bangkok–Nong Khai High-Speed Railway*. Future Southeast Asia. November 2020.

<sup>17</sup> *Post Today*. Board of SRT approves the second phase of Thai-China HSR. April 22, 2024. Retrieved from: <https://www.posttoday.com/smart-life/708087>

February 16, 2024.<sup>18</sup> While waiting for final EIA approval from the National Environment Board (NEB), it is expected that construction of the Phase 2 route will begin in 2024, with the train service starting in 2031.<sup>19</sup>

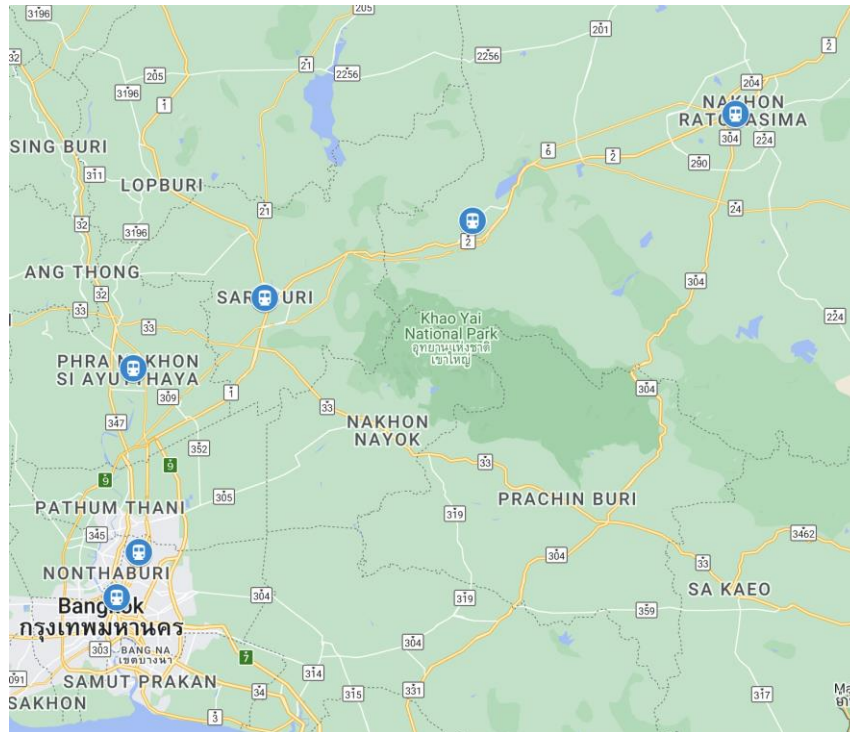
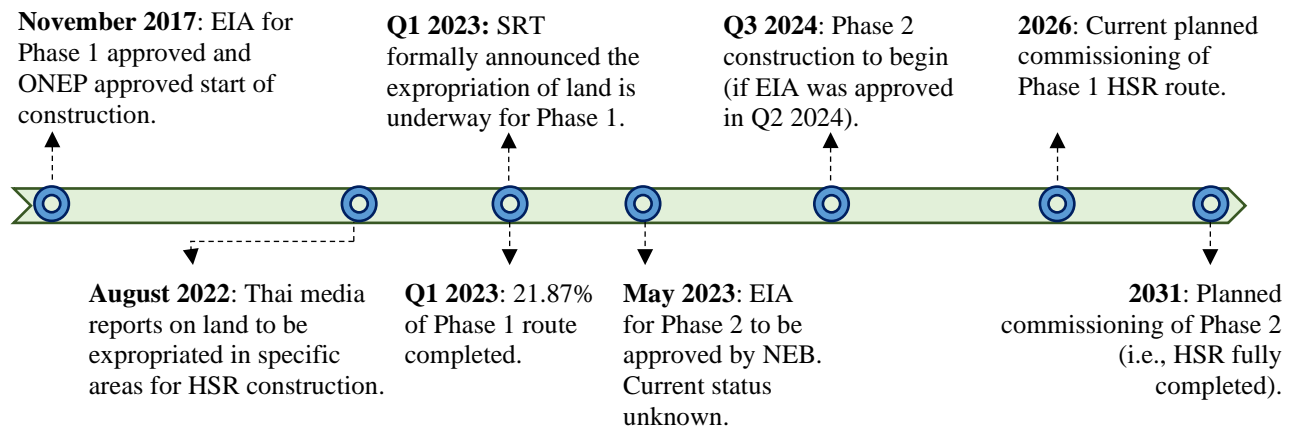


Figure 2: The proposed stations for the Phase 1 route from Bangkok to Nakhon Ratchasima.

It is expected that the complete HSR route will connect three airports across Thailand, from Bangkok to Nong Khai.<sup>20</sup> This is intended not only to increase efficiency of public travel between provinces, but also to benefit economic development in the country by boosting international trade.



<sup>18</sup> Bangkok Post, *2nd phase of Thai-China rail gets nod*, April 22, 2024. Retrieved from: <https://www.bangkokpost.com/thailand/general/2780144/2nd-phase-of-thai-china-rail-gets-nod#>

<sup>19</sup> Ibid.

<sup>20</sup> SRT. Update progress on high-speed train construction project (TH). February 2023. Retrieved from: <https://www.thaigov.go.th/news/contents/details/65315>

### 1.1.3 Technical Aspects of a High-Speed Railway System

The primary difference between the types of railway track systems (or gauges) is the spacing between the two rails.<sup>21</sup> Several factors affect the choice of a track gauge, and it is most common to use narrow- or meter-gauge track systems in poor areas, crowded regions, mountainous, and/or dense rural locations; and narrower rails are best suited for using up the least amount of space/land as well as accommodating smaller trains. More than 50 percent of the railway lines around the world use a standard gauge, which is suited for servicing most types of trains (including high-speed trains). Table 2 shows a summary of the different track gauges. Additionally, the choice of using a single-track system vs. a double-track system is also based on the space available to lay down the rails.<sup>22</sup>

The existing railway track from Bangkok to Nong Khai is a single-track meter-gauge system. Along with the HSR development, there is an additional infrastructure project simultaneously being built along this route.<sup>23</sup> This other project involves upgrading the existing single-track system into a double-track system to ease railway traffic by servicing both passenger and freight trains. This is being developed by the Thai government. The HSR development entails the construction of an additional rail line that will run along the same piece of land as the dual-track system.<sup>24</sup> This will primarily accommodate passenger high-speed trains from Bangkok to Nong Khai.<sup>25</sup>

Dual tracks passing through a station in Ayutthaya.



In Thailand, nearly all interprovincial railway lines are built as a single-track meter-gauge system.<sup>26</sup> However, the existing railway tracks between Thailand and Lao PDR utilize a standard-gauge system, which is a larger size, to accommodate the high-speed rail system.<sup>27</sup> As a result of the different track gauges, connecting the system between Bangkok and Vientiane is a challenge. To accommodate this, the government has made significant investments through the two projects listed above, resulting in the creation

<sup>21</sup> Rail Gauges and Systems. Sourced from: railsystems.net at <http://railsystem.net/rail-gauges>.

<sup>22</sup> Ibid.

<sup>23</sup> Lam, P.D. *Will Thailand's Chinese High-Speed Railway Be Worth It?* The Diplomat. March 2019.

<sup>24</sup> Ibid.

<sup>25</sup> Clark, J. *Bangkok–Nong Khai High-Speed Railway*. Future Southeast Asia. November 2020.

<sup>26</sup> Clark, J. *The mixed-gauge mess of Thailand's railways*. Future Southeast Asia. April 2022.

<sup>27</sup> Ibid.

of a railway network in Thailand that utilizes a dual-gauge (or mixed/dual track) system along the 604-kilometer-long stretch from Bangkok to Nong Khai.<sup>28</sup> The rail design will be 1,435 millimeters in size (i.e., standard gauge) and service trains up to 250 kilometers per hour.<sup>29</sup>

Table 2: Breakdown of the different types of track gauges for trains.

Type / Name	Gauge Size / Spacing between Rails	Remarks
<b>Meter Gauge</b>	1,000 mm	Basic rails used in many countries around the world (including Thailand).
<b>Standard Gauge</b>	1,435 mm	Used in more than 50 percent of the world, servicing most types of trains (including high-speed trains and the HSR in Thailand).
<b>Narrow Gauge</b>	Less than 1,435 mm	Dominant type of gauge used in Africa and Asia, servicing a lot of industrial rail vehicles.
<b>Broad Gauge</b>	More than 1,435 mm up to 1,520 mm	Rarely used in modern railway systems.
<b>Medium Gauge</b>	More than 1,520 mm	Rarely used in modern railway systems.
<b>Minimum Gauge</b>	Less than 600 mm	Used mostly in space-restrictive environments, such as mines and farms.
<b>Dual Gauge</b>	Mixed / dual track; multiple gauges with different systems	Significantly used when different railway companies and types of trains are being serviced along the same route. Often required for areas where space is limited and the ground needs to be shared.

## 1.2 Social Safeguarding Policies

One of the critical factors to consider in any infrastructure-development project is the social safeguarding of communities and individuals that could be impacted from the development in the area. Social safeguarding refers to a set of policies and practices for avoiding and minimizing social impacts and protecting vulnerable individuals and communities from harm, exploitation, and exclusion in aspects of social and economic development.

Social safeguarding initiatives aim to ensure that the benefits of development are shared equitably and that no group or individual is left behind. This includes protecting the rights of women, children, indigenous people, and other marginalized groups through promoting social inclusion and nondiscrimination and addressing social and environmental risks associated with development projects. In general, social safeguarding measures are implemented under the responsibility of government agencies, civil society organizations, and development partners to foster more sustainable and inclusive development. It is important under these implementation measures that the needs of vulnerable groups be considered in project planning and design to ensure development projects are adapting to different needs and not focusing only on minimizing risks from development.

<sup>28</sup> Ibid.

<sup>29</sup> *Daily News*. Early next year SRT will decide on the high-speed rail phase 2, a total of 13 contracts worth 300 billion. December 2022. Retrieved from: <https://www.dailynews.co.th/news/1784978/>

### 1.2.1 Vulnerable Groups

Vulnerable people are those who may be more adversely affected by project impacts than others by virtue of characteristics such as their gender, gender identity, sexual orientation, religion, ethnicity, indigenous status, age (including children, youths, and the elderly), physical or mental disability, literacy, political views, or social status.

The International Finance Corporation’s Performance Standard 1 (IFC PS1): Assessment and Management of Environmental and Social Risks and Impacts states the following in relation to vulnerable groups:

*“This disadvantaged or vulnerable status may stem from an individual’s or group’s race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status. The client should also consider factors such as gender, age, ethnicity, culture, literacy, sickness, physical or mental disability, poverty or economic disadvantage, and dependence on unique natural resources.”*

The IFC’s Guidance Notes on Performance Standards on Environmental and Social Accountability (2012) explains that vulnerable groups include but are not limited to the following:

- Women and particularly female heads of households, widows, and divorcées;
- Children;
- Youth (18–24), as defined by the United Nations;
- Elderly (people) and retired;
- Low-income households; and
- People with physical/mental health and disability.

### 1.2.2 Relevant Laws, Regulations, and Guidelines

Laws and regulations in Thailand provide a legal framework for guiding the implementation of social safeguarding in infrastructure-development projects, as well as guiding the implementation of measures to protect vulnerable individuals and groups to ensure inclusive development in the country. This includes broad provisions in the Constitution of the Kingdom of Thailand that deal with human rights, equality and nondiscrimination, and other legal frameworks that cover environmental protection, domestic violence and child protection, and labor rights protections. Table 3 indicates a chronological breakdown of the relevant regulations put in place for guiding EIAs in Thailand.<sup>30</sup>

Table 3: The chronological progression of the implementation of relevant Thai laws for EIAs.

Reference	Description
National Environmental Quality Act (NEQA) B.E. 2518 (1975)	The <b>EIA was put into force</b> by the enactment of this law, for enhancement and conservation of the environment in Thailand. The Thai EIA regulatory framework was developed by the Ministry of Science, Technology, and Energy.
NEQA B.E. 2535 (1992)	Continuous revisions were made since the first enactment of the NEQA until this amendment to the law, where <b>an EIA report review system was put into place</b> by the Ministry of Science, Technology, and Energy.
Constitution of the Kingdom of Thailand B.E. 2550 (2007)	The <b>Thai Constitution came into effect</b> , introducing stipulations of human rights.

<sup>30</sup> ONEP. Environmental Impact Assessment in Thailand, 4th Edition. September 2021.

Reference	Description
Section 67, paragraphs 1–2, of the Constitution of the Kingdom of Thailand B.E. 2550 (2007)	<p>The rights of communities / people to participate with the State and each other in the preservation and exploitation of natural resources and biological diversity and in the protection, promotion, and conservation of quality of the environment for usual and consistent survival in the environment which is not hazardous to the health and sanitary condition, welfare or quality of life, shall be protected appropriately.</p> <p>This <b>prompted the improvement of the Thai EIA system</b> to consider various aspects of environmental and social considerations.</p>
Constitution of the Kingdom of Thailand B.E. 2560 (2017)	A revised constitution was enacted that further added <b>emphasis to safeguarding and protecting the rights and liberties</b> of Thai people. After its enactment, the 2007 version was abrogated.
NEQA (No. 2) B.E. 2561 (2018)	An <b>amendment to the EIA regulation, which required the EIA system to be revised</b> . Guidance and implementation of measures would now be the responsibility of, and carried out by, ONEP.

Table 4 lists relevant regulations and guidelines applicable to the scope of this study. It should be noted that prior to the enactment of the Gender Equality Act B.E. 2558 (2015), only the provisions under the Constitution of the Kingdom of Thailand could be interpreted as protecting the rights of the LGBTQ+ community.

Table 4: Additional relevant laws, guidelines, and definitions applicable for the scope of this study.

Reference	Description
Gender Equality Act B.E. 2558 (2015)	The <b>only law in Thailand</b> that extends protection explicitly related to gender equality and social inclusion (GESI), including but not limited to members of the LGBTQ+ community, transgender people, gender in vulnerable communities, etc. This is currently the strongest legal instrument for advocating for gender in Thailand.
Expropriation and Acquisition of Immovable Property Act B.E. 2562 (2019)	The law in Thailand that describes the regulations stipulated under <b>involuntary expropriation of property</b> and infringing on private property rights of Thai people. It is important to note that this act only includes clauses <b>under relocation and does not mention anything related to resettlement</b> .
Sections 41 and 42 of the Constitution of the Kingdom of Thailand B.E. 2550 (2007)	These sections stipulate specific <b>clauses for the protection of property rights</b> of individuals and communities in Thailand. This includes regulations under which the State can <b>expropriate land for public interest</b> . This was rewritten under Section 37 of the Constitution of the Kingdom of Thailand B.E. 2560 (2017).
Cabinet resolution on March 13, 2023, on solving housing problems of low-income residents in communities affected by rail system development.	The cabinet approved a <b>five-year plan (2023–2027) to address housing problems for low-income communities affected by nationwide railway system development</b> , including the HSR as proposed by the Ministry of Social Development and Human Security. The plan covers 35 provinces and 300 communities, totaling 27,084 households, with a budget of 7.718 billion baht.

### 1.3 Impact of Development on Communities in the Targeted Provinces

The expansion of the existing single-track system, as well as the construction of an adjacent railway track using a larger, standard-gauge system, will require large amounts of land alongside the current railway line.

In 2017, it was reported by the Thai government that a total of 2,815 rai (roughly 450 hectares)<sup>31</sup> would need to be expropriated from districts along the proposed railway route.<sup>32</sup> These included districts in Bang Sue and Don Muang in Bangkok, parts of Ayutthaya and Saraburi, and Pak Chong district in Nakhon Ratchasima.

In 2022, the resettlement and expropriation of land was confirmed to be moving forward for the continued development of the HSR project. This was issued by the SRT in an update in Q1 2023.<sup>33</sup> In April 2023, there were reports of communities in Nakhon Ratchasima feeling disheartened about the planned demolition of one of Thailand’s oldest railway stations.<sup>34</sup> The Nakhon Ratchasima Train Station was inaugurated by King Rama V in 1900, and local communities see this landmark as a cultural heritage site and piece of Thai history due to its connection with the royalty. The SRT reported that it intends to replace the station with a much larger modern facility; however, locals want to find a compromise without having to destroy the building and the land around it.<sup>35</sup> At the time of writing, demolition of this station has been delayed due to intervention by the local communities, and no further updates have been provided by the SRT on potential plans to integrate the new station with the existing one to maintain the cultural heritage site in Nakhon Ratchasima. Further details on cultural heritage and subsequent impacts are discussed in Section 3.3.

As part of the expropriation process, the government noted that communities living near the proposed railway to be affected by development of the Phase 1 construction would receive compensation.<sup>36</sup> In March 2023, the government approved a budget of 7.7 billion baht to subsidize new housing construction for low-income communities affected by the railway system development.<sup>37</sup> However, no further details were provided on the timeframe for receiving said compensation.<sup>38</sup> While EIA monitoring reports and the initial project brief indicated plans for resettlement and briefly described on-the-ground implementation, there is limited evidence to suggest that resettlement for displaced communities has been fully implemented in accordance with expected standards. As this project is a multiyear development initiative involving national and international stakeholders, further and continued research will be necessary to monitor changes throughout the construction and operation of the project. Further details on the findings of the EIA monitoring reports are discussed in Section 3.1.

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<sup>31</sup> A *rai* is a measure of land area, with 1 rai equivalent to 0.16 hectares.

<sup>32</sup> Theparat, C. *Thai-China rail project: Korat in just 77 minutes*. Bangkok Post. July 2017.

<sup>33</sup> SRT. Update progress on high-speed train construction project (TH). February 2023. Retrieved from: <https://www.thaigov.go.th/news/contents/details/65315>

<sup>34</sup> CNA. Thailand’s China-built high-speed rail, on track but delayed. April 2023.

<sup>35</sup> *Ibid.*

<sup>36</sup> “Inhabitants” referred to in this process are those living near the proposed railway line and directly affected by the expropriation of land (i.e., resettled or relocated communities).

<sup>37</sup> CODI. The Cabinet approved a plan to address housing problem in low-income communities affected by railway development. March 2024. Retrieved from: <https://web.codi.or.th/20230314-43731/>

<sup>38</sup> CNA. Thailand’s China-built high-speed rail, on track but delayed. April 2023.

### Trees and land clearing for the HSR development.



## 1.4 Purpose and Scope of Research

The purpose of this research was to expand on the findings from the MFLU study of the Bangkok–Nong Khai High-Speed Railway Development project, and to support the Mekong Safeguards team on conducting further research on communities along the Phase 1 construction route.

This research achieved three primary objectives:

1. To build on the findings from the EIA monitoring reports and MFLU study by identifying gaps, including those specifically related to social safeguarding and gender, in the community's knowledge, perceptions, and problems about the HSR construction;
2. To identify other communities and their vulnerabilities adversely affected by the HSR development, in the provinces through which the Phase 1 route connects; and
3. To build on the policy recommendations for safeguards from the MFLU study, to further support adversely affected communities along the HSR construction route.

A review of the EIA monitoring reports and MFLU study was conducted by identifying key gaps and challenges regarding the impacts on local communities. This was supplemented by reviews of additional literature and followed up with an in-depth analysis of primary data collected from target provinces in the form of FGDs and KIIs with different stakeholder groups.

### 1.4.1 Summary of Findings from HSR Phase 1 Study

The MFLU study on the Bangkok–Nong Khai HSR concluded in 2022. The focus of the study was on the perceptions of the HSR among select communities in the provinces of Ayutthaya, Saraburi, and Nakhon Ratchasima.<sup>39</sup> The study largely used a quantitative methodology, seeking information on the perception of communities on the development of the HSR.

A total of 975 participants (497 male; 476 female; two declined to answer) were interviewed through surveys, 41 participants through FGDs, and 45 participants through KIIs. The participants were spread out between Bangkok, Ayutthaya, Saraburi, and Nakhon Ratchasima. The study found that a significant portion

<sup>39</sup> Lee Lai To, Chalongrat Charoensri, Tarida Baikasame. China's Belt and Road Initiative Investments in Southeast Asia: A Case Study of the High-Speed Rail Project in Thailand. 2022.

of the respondents through surveys and FGDs (e.g., local residents living along the proposed railway route) were not aware of the construction of the HSR. For those aware of the construction project, issues were reported in terms of handling grievances, lack of public consultation, and environmental, social, and economic impacts as a result of the construction. However, the overall perception of the HSR was mostly positive, and communities began to accept the construction of this project along their lands, with the expectation that it would yield positive economic benefits for them in the future.

Some of the stakeholders interviewed through the KIIs reported major concerns with environmental issues (e.g., air, dust, noise, and water pollution) that could propagate into social concerns for local communities. This also extended to vulnerable groups (i.e., women, people with disabilities, elderly, children, etc.) where issues may arise in adapting to different environments, potentially losing their jobs, and seeking some form of social welfare. There were no specific GESI-related issues highlighted in the key findings.

Last, one of the largest gaps/challenges reported from the Phase 1 study is the governance structure of the HSR development project in Thailand. Although entirely funded by the Thai government, Chinese entities are mostly responsible for designing, supervising construction, and providing the technology, equipment, and systems. Thai engineering companies operate on different standards in comparison to Chinese companies. With the SRT hiring Chinese counterparts to supervise the construction process, issues about communication, cooperation, alignment with operation standards, construction standards, health & safety standards, and standard operating procedures may occur throughout the development of the HSR. This is an important factor to consider in the challenges carried forward for this study, as governance/management of these infrastructure projects is key in addressing specific social standards. For instance, the SRT is responsible for the coordination between stakeholder groups (or project partners) to ensure grievances can be adequately monitored and answered, communities can receive the appropriate consultation, and all members of society can equally benefit from the design and construction of the HSR.

#### 1.4.2 Target Areas and Scope of Work

The areas that the current research utilized for primary data collection were districts in Ayutthaya, Saraburi, and Nakhon Ratchasima. These locations were selected because they were the main provinces that the Phase 1 construction route of the HSR passes through, and they were seen as practical to build on the findings from the Phase 1 HSR Study. Annex A provides further details on the interviews conducted and their locations.

### 1.5 Research Limitations

There were limitations to this research, given the high level of sensitivity around the HSR project in Thailand.

**Disclosure:** The SRT is one of the key sources of information and the primary project stakeholder for the HSR development. Given the high level of (national) security around the project, the team found it difficult to obtain an interview with the civil contract owners, even though SRT granted them approval to provide objective information on the HSR development. In addition, while other government agencies and stakeholders are involved in the project, they were hesitant to provide objective responses to the study, or could not be reached for an interview.

Additionally, government authorities work independently on the project with minimal cooperation with one another. This also made it difficult for the team to identify a clear process on how to target impacted areas for the primary data-collection phase.

**Literature:** The research was limited by the fact that only gaps within the existing project documents were further examined. Therefore, the research aimed to fill in these gaps and, as such, some areas could not be further examined. However, this approach was still desirable, as it allowed greater focus on exploration of

key issues that were particularly harmful, such as human trafficking, forced eviction, relocation, and compensation. Limitations were also found in the data provided in existing project documents. The research relied on these documents as a baseline for information. This means that where information was inaccurate, it affected the team’s ability to accurately assess the impacts of the project.

There were a few limitations to consider in the analysis of the EIA monitoring reports. The primary limitation was the reference to the baseline period of monitoring, which was 2019. An amendment was made to the original EIA in 2019, which incorporated new aspects and impacts for consideration in the HSR project. This amendment included critical changes to criteria in the full EIA scope, which was highlighted in the opening sections/executive summary of the most recent EIA monitoring reports. However, as of early 2023 the amendment had still not been approved by the national government, its rollout has not taken place, and its expectation of taking effect (i.e., being approved and used for monitoring) is currently unknown. Until this can be confirmed and published, the baseline for comparison will need to be in reference to the original standards and EIA criteria, although specific factors and findings may be irrelevant or remedied once the amended EIA is approved and rolled out by the Thai government.

Another significant limitation in this review is related to language and translations. The EIA monitoring reports are published only in Thai, which requires translation to English. It should be noted that there is a limitation in translating some of the key results/data, as the context can be highly technical in some areas of the monitoring reports, and it is often difficult to find direct translations/meanings in English.

Last, the team was unable to access the full EIA report for Phase 1, and the EIA monitoring reports did not disclose key information about the targeted survey areas.

**Analysis of law/regulations:** The research was also limited by the inability to assess how the implementation of laws and safeguards worked in reality. This is a limitation that exists in impact assessments as a discipline. Practically speaking, the research attempted to utilize project documents, previous similar projects, and the expertise of other impact assessment specialists to try to predict the project’s impacts and how well these can be mitigated and managed. However, in reality, this relied on an assessment of what has happened in the past, and making educated guesses where necessary. By analyzing these findings over the course of the past three years, it can only be theoretically determined whether implementation measures are being followed and continue to be kept in place.

**Sample size:** Based on the size and scale of the HSR project, it was difficult to obtain an accurate sample size of communities to interview for the data-collection phase. Additionally, significant delays in construction (including due to COVID-19) made it difficult for the team to identify directly affected communities that could provide insights into this topic of research. In addition, as some of the impacted communities have already been evicted/resettled, it was challenging to track down their new locations in order to participate in the primary data collection.

The number of participants in this research was limited and not statistically representative. Practical reasons, such as location of stakeholders, limited the participants during the FGDs. This means that findings are not representative of most of the impacted communities living along the proposed railway line. However, the usefulness of the research will still be achieved by analyzing the key gaps in the legal framework, especially with regards to social safeguarding and human rights. In addition, key findings are still useful for direct advocacy with the government if evidence allows for identifying clear links between the HSR development and detrimental impact to communities.

Delays in construction along different sections of the Phase 1 route also made it difficult for the team to understand the full process of compensation, grievance mechanisms (GMs), and impacts from the development. Communities reported being confused about the details of the project and the ongoing construction work, also making it challenging to provide substantive information in relation to the objectives of this research.

**Response subjectivity:** Responses may have been slightly (and indirectly) skewed, as the participants may have had preset answers/responses to the questions posed by the researchers. Bias could be immediately formed through subjective responses, associating negative impacts directly with COVID-19; meaning that participants subconsciously (and without realizing it) prevent themselves from noticing the negative impacts associated with other events/causes. Delays in the HSR construction and processes for resolving GMs may also cause some stakeholders to have differing views on this subject matter. The consultant team carefully considered this limitation during the analysis phase and aimed to mitigate this by adding more probing and indirect questions during the KIIs/FGDs.

**Women-only FGDs:** It should be noted that the initial stakeholder engagement plan included a few sessions for women-only FGDs. This was proposed to ensure women can have a safe space to voice their concerns and opinions on the HSR project, without fear of repercussions or retaliation. However, during the actual sessions, the team could achieve only one women-only FGD and encountered challenges that made it difficult to conduct further women-only sessions:

- FGDs were conducted on a rolling basis to maximize the time of the participants and ensure that their time was valued during attendance. In some cases, male participants arrived at the interview location earlier than the scheduled time and entered the ongoing women-only FGD session.
- The team also encountered unregistered male participants who decided to participate in the women-only FGDs. It is unclear why these individuals chose to attend and join in the sessions that were scheduled to be women-only. It is unclear whether the men had ulterior motives or if they merely wanted to participate in multiple FGDs.

**Community inclusion:** Only one participant from an FGD identified as being part of the LGBTQ+ community. It is unclear whether additional members of the LGBTQ+ community were represented in the sample size, as not all community members were comfortable in identifying whether they were part of the LGBTQ+ community for fear of reprisal. As a result, the impacts of the HSR project on this stakeholder group are inconclusive, and further research needs to be conducted.

**Timeline:** Since this report was completed in Q2 2024, with data collection conducted in mid-2023, some information and findings may no longer be current or fully accurate. Developments in the HSR project, as well as updates on EIA monitoring reports, may not be captured in this research, including changes in project plans, stakeholder positions, legal frameworks, or community impacts. Discussion points may become outdated or irrelevant, which can affect the applicability of the conclusions and recommendations. Readers should be aware of this limitation and consider consulting more recent sources or updates to ensure they have the most up-to-date understanding of the project's status and its implications.

## 2. Research Approach and Methodology

**Overall goal:** To expand on the findings from the Phase 1 HSR Study of the Bangkok–Nong Khai High-Speed Railway Development project, and to conduct further research on communities along the Phase 1 construction route.

To understand and document the main challenges and gaps affecting the lives of local communities along the HSR construction route, this assignment utilized a three-stage holistic and qualitative research strategy.

### 2.1 Stage 1: Qualitative Review and Gap Analysis

A qualitative document analysis was used in the research methodology to analyze the contents of the written documents in a consistent and impartial manner. The following sources were the main platforms used in the literature review:

- EIA monitoring reports of the Phase 1 construction route of the HSR, from Bangkok to Nakhon Ratchasima.
- The Phase 1 HSR Study completed by TAF and MFLU on the HSR project; empirical research supplemented by initial surveys; and
- Internal knowledge platforms and reports by the Mekong Safeguards team and/or its partners; case studies and policy briefs; research publication platforms; reports and data banks from international organizations and development banks; and publications or other relevant sources from government and public platforms.

A detailed research questionnaire was then developed in line with four key focus areas of the research. These questionnaires are presented in Annex B.

#### 2.1.1 Review Approach for the EIA Monitoring Reports

The literature review consisted of a screening of each of the EIA monitoring reports published by ONEP, under the Ministry of Natural Resources and Environment (MNRE). The EIA monitoring reports are published every June and December of a calendar year.

**Review:** At the time of writing, there were eight document links for the EIA monitoring reports, which are publicly available on the ONEP website. However, only six of these documents were utilized in the literature review process, as listed in Table 5, as one of the document links is unavailable and one of the reports did not include information for a full monitoring period (i.e., six months).

Table 5: Breakdown of the EIA monitoring reports used in the analysis.

Monitoring Period	Document Folder Identification Number	Notes
May–June 2019	38777	Only one month; intended as a setup for the monitoring when established by the project owner. No relevant data/evidence is discussed.
July–December 2019	43435	Downloaded and reviewed.
January–June 2020	46878	Downloaded and reviewed.
July–December 2020	unknown	Link not working; document is unavailable/missing from website.
January–June 2021	57858	Downloaded and reviewed.

Monitoring Period	Document Folder Identification Number	Notes
July–December 2021	256502-821	Downloaded and reviewed.
January–June 2022	256508-446	Downloaded and reviewed.
July–December 2022	256602-1010	Downloaded and reviewed.

The findings from the EIA monitoring reports were summarized in a tabular format for each of the key criteria identified under the full EIA scope of work, with particular correlation to social impact. The format was intended to highlight some of the key impact criteria with regards to social safeguards, a brief description of what is required, any actions taken and/or proposed to be taken, and problems/issues that arose within the reporting period.

## 2.2 Stage 2: Primary Research and Analysis

The aim of this stage of research was to extract more information from the local community members and other targeted stakeholders in the provinces and create a deeper understanding of the linkages between “what is reported” and the “reality of the situation.” These activities complemented the literature review and provided more detail and in-depth knowledge through the qualitative research approach. Below is a summary of the stakeholder groups identified and targeted for the primary data collection.

- **Project Owners:** (1) State Railway of Thailand; (2) Civil contractor in Saraburi; and (3) Civil contractor in Nakhon Ratchasima.

- **Affected Communities:**

Location	Community Name
Ayutthaya	(1) Wat Chaeng Phatthana (2) Luang Pho Suriyamunee
Nakhon Ratchasima	(3) Prasopsook, also known as the “Yamo Railway Side Network,” which is a joint network of nine communities: Liap Nakhon Road Group, Prasopsook, Song Kang Tang Rod Fai community, Bailey community, Racht Ni Kul 1 community, Racht Ni Kul 3 community, Benjarong community, Thung Sawang–Sala Loi community, and Rong Tom.

- **Civil Society:** (1) Train Union; and (2) Four Regions Slum Network.
- **Government Officials at Provisional and Central Levels:** (1) Municipal officers in Ayutthaya; (2) Municipal officers in Saraburi; (3) Office of Transport and Traffic Policy and Planning (OTP); (4) Community Organizations Development Institute (CODI); and (5) The Fine Arts Department.
- **Independent Researchers:** (1) Human trafficking specialist; and (2) Other independent researchers in Thailand.

Annex A references a full breakdown of the FGDs and KIIs that were conducted during the data-collection phase.

## 2.3 Stage 3: Consolidation Workshops

Restitution and knowledge-sharing workshops were organized after submission of the final report, to share the key findings and analysis of this report with relevant stakeholders. Green in the Blue, alongside TAF, organized the workshop for dissemination of key findings and recommendations.

### 3. Results and Analysis

#### 3.1 Findings from the EIA Monitoring Reports

The SRT appointed a committee to govern the construction of the HSR project, which includes a third-party auditor responsible for managing and monitoring performance of the construction every six months, in line with the requirements set under the EIA standards and national law. EIA monitoring reports are published every six months, and since 2019, a total of eight reports have been completed. It should be noted that the EIA monitoring reports cover only specific sections of the Phase 1 construction route and do not cover the entire length of the route from Bangkok to Nakhon Ratchasima.

Feedback from stakeholders interviewed suggested that the EIA process was not consultative with local communities. While this may not breach any provisions of the relevant act, it does suggest that there was a lack of coordination and consultation within at least the Project Implementer, the Ministry of Transport (MOT), the Ministry of Fine Arts, and potentially other line ministries, regarding how the EIA was designed—especially the 2019 amended EIA—and how it should be monitored.

The OTP reported that it was challenging to address the topic of human rights in the EIA, considering it was fairly new to the organization in 2014, when the first draft of the EIA was developed. At the time, the concept of Environmental and Social Impact Assessments (ESIAs) was not well known, given that the Thai Constitution did not fully recognize human rights as a key issue for infrastructure-development projects. This was later amended, and the EIA was revised in 2019 to bring the standards in line with the Constitution of the Kingdom of Thailand B.E. 2560 (2017), which recognized the importance of human rights in infrastructure-development projects. Based on observations and analysis of the data reported in the EIA monitoring reports, there seems to be an increasing number of social-related criteria/measures from the July–December 2022 monitoring period. However, it is unclear whether these are a result from the revised EIA.

At the time of writing, there has been no update on the amended/revised EIA from 2019. The OTP also stated two key challenges: (i) the HSR project’s budget is too limited to address all grievances from the communities, and the increasing requirements of social and environmental standards under impact assessments are also affecting the budget to consider them. It is unclear if the lack of progress on these amendments is due to political decisions or a direction by SRT to prevent additional challenges for addressing issues with affected communities.

##### 3.1.1 Survey Results from Affected Communities

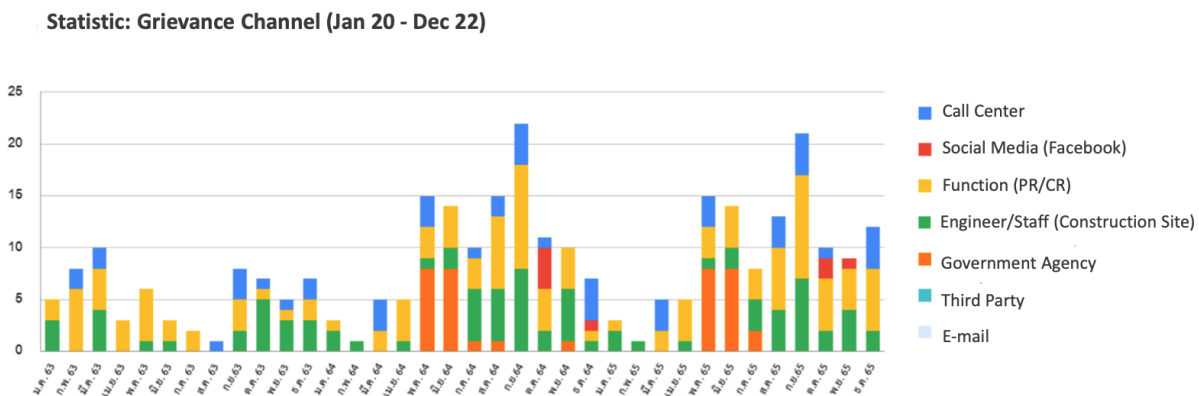


Figure 3: Number of complaints between 2019 and 2023. Sourced from the latest (July–December 2022) EIA monitoring report.

**Grievance Mechanisms:** The most common channels used for submitting complaints were, in order of most used to least used: (i) the project and/or contractor representative on site; (ii) staff at complaint centers; and (iii) directly/straight to relevant government authorities. The number of complaints steadily increased over the course of three years, as indicated in Figure 3, which indicates that most of the construction process began within the last one to two years, and community members felt more affected during these times in comparison to earlier stages, when it was still in the design and planning phase. Figure 4 also indicates the breakdown of complaints from July 2019 to January 2023.

**Summary: Grievance Channel (May 19 – Dec 22)**

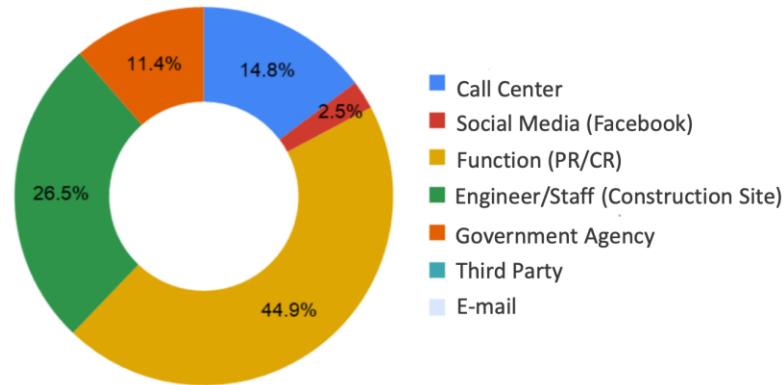


Figure 4: Breakdown of complaints, by channel, between 2019 and 2023. Sourced from the latest (July–December 2022) EIA monitoring report.

**Effective Resolution Methods:** It is worth noting that the methods of follow-up and resolution to complaints were not explicitly justified in the EIA monitoring reports. The indicated turnaround times for complaints were reported as being resolved, and also reported as being within the requirements stipulated in the criteria for managing and monitoring grievances (refer to Annex C.1 for further details).

**Summary: Time used to resolve the grievance (May 19 – Dec 22)**

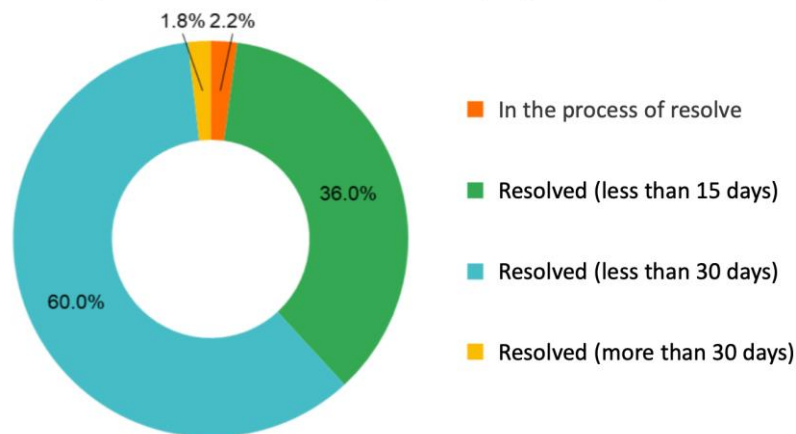


Figure 5: The reported measures for time spent to resolve grievances. Sourced from the latest (July–December 2022) EIA monitoring report.

**GESI:** There is no specific indicator in the EIA criteria regarding a gender-balance criterion of respondents for conducting surveys. Nevertheless, a more equal gender split was achieved in the 2022 surveys, where the gap between both genders was closer to 50 percent, in comparison to the earlier years. With regards to community inclusion, the target group for the surveys throughout the years was mainly elders, until the

latest report in July to December 2022, which showed a higher percentage of the target group being between the ages of 41 and 50.

Table 6: Summary of gender and age range for the surveys conducted for the EIA monitoring reports.

Year	Month	Male (%)	Female (%)	Age Ranges (years)						Total
				> 60 (%)	51–60 (%)	41–50 (%)	31–40 (%)	21–30 (%)	18–20 (%)	
2022	Jul–Dec	46.3	53.7	10	21.7	32.8	24.4	10.9	0.1	713
2022	Jan–Jun	49	51	27.9	19.2	24	13.5	9.6	0	104
2021	Jul–Dec	37.5	62.5	34.6	25.4	18.7	11.8	5.6	0.6	696
2021	Jan–Jun	37.9	62.1	35.3	23.4	19.2	11.7	6.8	0.5	556
2020	Jul–Dec	-	-	-	-	-	-	-	-	-
2020	Jan–Jun	38	62	28.1	13.1	26.4	10.7	5	2.5	121

Note: The July to December 2020 period does not include any survey results. It is unclear why this report did not follow the same format as the others.

Based on the latest monitoring report (July to December 2022), roughly 40.5 percent of the respondents were heads of household, and 91.4 percent of the respondents reported living in the area. The income and livelihood status of the community members that participated in surveys also indicated relatively moderate lifestyles, with most working as traders, owning the land they live on, and having an average household size of roughly four to six family members.

It was interesting to note that, of the survey respondents aware of the construction project, roughly 32.4 percent reported receiving information from community leaders and 23.4 percent through pamphlets. When questioned further:

- 41 percent of the respondents reported wanting to be more informed about the project’s details;
- 24.8 percent of the respondents reported wanting to know more about the schedules for construction work; and
- 38.3 percent of the respondents reported wanting to receive more information through the project’s signage.

### 3.2 Legal Framework for Social Safeguarding

Existing Thai laws purport to support key areas of social safeguarding. Procedures are laid down for both the prevention of harm and remedies for any breaches, or crimes, committed thereby. As with all legal frameworks, the critical aspect of their effectiveness relates to public officials’ knowledge, understanding, and application/implementation. Of specific relevance, project-specific public official stakeholders work with project-specific private sector stakeholders to ensure the proper implementation of these legal frameworks.

Also of relevance are international law precepts and principles that provide specific protections for individuals and communities, and interpretative assistance for national legal frameworks. The HSR project in question entails issues that relate to the prevention of human rights abuses, environmental protection, prevention of domestic violence and child protection, transnational crimes including drug and human trafficking, safe migration and protection for refugees and internally displaced peoples, and labor rights protection and prevention of modern slavery.

Peripheral safeguards are those with reference to expropriation/relocation/GMs and attendant compensation schemes.

The relevant laws and legal frameworks pertaining to this type of project can be referenced in Annex C.2 for further detail.

### **Overview**

Zooming out to look at the general implementation of laws pertaining to human rights and environmental protection, evidence<sup>40</sup> suggests that there have been credible reports of issues such as arbitrary arrest and detention, unlawful interference with privacy, restrictions on freedom of expression, and concerns regarding government accountability and transparency. These issues are particularly relevant in the context of HSR construction, where public officials play a significant role in the expropriation and relocation processes. There is a potential risk that affected communities, especially those being relocated, could face challenges related to fair compensation, freedom of movement, and the ability to express concerns or organize peacefully. Ensuring that these processes are carried out transparently and in accordance with legal protections is essential to minimizing the risk of human rights violations.

Given the involvement of public officials in the expropriation process, it is essential to ensure that all activities are conducted transparently and in line with national legal standards. Similarly, these communities face environmental risks, given that public officials tasked with implementing environmental protection law fall generally under many of the above risk categories. Also, given that the project actually crosses international borders (when completed), risks are inherently increased for trafficking of all forms (persons, narcotics, and wildlife). Recent research has found that labor inspectors, those tasked with implementing the Labour Protection Act and related rights protection frameworks, are aware of related trafficking and forced-labor cases through reports but are unaware of the procedures/protocols (and have limited awareness) in regulations to prevent them, which in turn propagates risks.<sup>41</sup> As a result, it was shown that breaches often ended up in mediated civil action (as opposed to criminal), revealing a potentially compromised deterrence effect.

**Expropriation of Land** under the Expropriation and Acquisition of Immovable Property Act B.E. 2562 (2019) explicitly highlights responsibilities of Officials<sup>42</sup> and Owners<sup>43</sup> (i.e., those lawful land/homeowners in affected areas) under expropriation of land activities.

Section 37 of the Act states the following:

*“Compensation for expropriation only of land shall consist of the value of the land, demolition costs, relocation costs, costs of the construction of a new building or structure and other immovable property fixed to the land and other damages resulting from the owner leaving the expropriated land.*

*“Compensation for expropriation of land together with a building, structure and other immovable property fixed to the land shall consist of the value of the land, the value of the building, structure and other immovable property fixed to the land and other damages resulting from the owner leaving the expropriated land.*

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<sup>40</sup> U.S. Department of State, 2022 Country Reports on Human Rights Practices: Thailand, 2022.

<sup>41</sup> Winrock International, *Tapped Out: A Research Study on Forced Labor and Trafficking in Persons in the Thai Rubber Industry*, page 23.

<sup>42</sup> “Officials” as defined under the act refer to a Ministry, Sub-ministry, Department, local government organization, State enterprise, any other agency of the State or any other person acting for the benefit of the State, that has the duty and power to carry out expropriation or control expropriation.

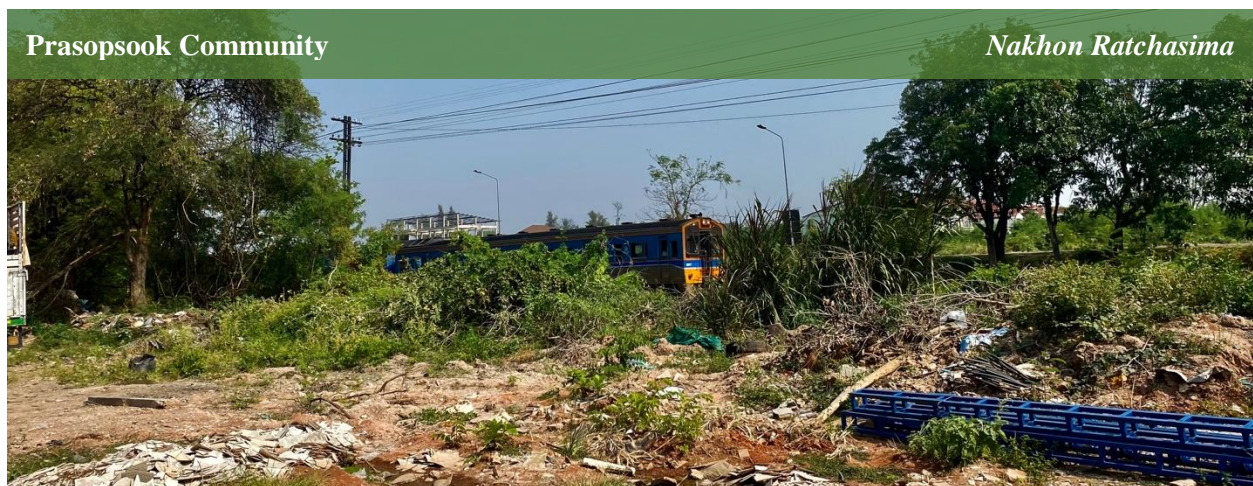
<sup>43</sup> “Owners” as defined under the act refers to a lawful owner or possessor of immovable property.

*“In the expropriation of land, if the owner intends that the expropriation shall also extend to a building, structure and other immovable property fixed to the land, the Official shall proceed in accordance with the intention of the owner.”*

**Government support for low-income communities affected by railway development** is a special social safeguard measure approved by the cabinet on March 13, 2023. The plan stipulates that the government will subsidize the construction of utility systems at new locations and provide compensation for demolitions, moving costs, or rental expenses while awaiting the completion of new housing—up to 160,000 baht per household. Additionally, the government offers soft loans for new housing construction up to 250,000 baht per household. This five-year plan (2023–2027) addresses housing problems in affected communities across 35 provinces and 300 communities nationwide, totaling 27,084 households, with a budget of 7.718 billion baht. The CODI, under the Ministry of Social Development and Human Security (MSDHS), is mandated to oversee and implement the social safeguarding project. CODI is an independent public organization whose mission is to support the strengthening of communities and their organizations—in both urban and rural areas—as key agents of change and as central actors in development that affects their lives and communities.

### 3.3 Impacts on Land and Livelihoods (Focus Area 1)

#### 3.3.1 Physical Displacement



The Prasopsook community in Nakhon Ratchasima, also known as the *Yamo Railway Network*, is a joint network of nine settlements<sup>44</sup> living within 40 meters of the railway site. It was reported that the local authorities considered this community to be “living illegally” in the area, where the land is owned by SRT, as no proof of tenancy could be provided by the community members in terms of either (i) a rental contract or (ii) land ownership titles. As a result, the community was told that they would be evicted due to the development of the HSR in the area. The project is expected to impact 342 households, who work mostly as hawkers, stall owners selling food and secondhand goods, waged workers, and trash collectors.

At the time of the data collection, most of the households had already moved to the resettlement site with temporary housing. Initial reports indicated that the community took it upon themselves to construct their own temporary housing, as they claimed there was no support provided by the SRT or the government. However, the project staff later confirmed with a representative from CODI that both CODI and SRT had been involved with the communities from the outset of the relocation process, providing financial assistance for temporary housing construction. The new land for resettlement is approximately eight to ten kilometers

<sup>44</sup> (i) Liap Nakhon Road Group, (ii) Prasopsook, (iii) Song Kang Tang Rod Fai community, (iv) Bailey community, (v) Racht Ni Kul 1 community, (vi) Racht Ni Kul 3 community, (vii) Benjarong community, (viii) Thung Sawang–Sala Loi community, and (ix) Rong Tom

away from their existing location and will be rented out by the SRT to communities for 30 years. The total land size is about 7 rai (1.12 hectares). One household in Liap Nakhon, which was the first to move to the new land, stated that they did not receive prior notice about the project or the eviction. They reported receiving only a one-week notice before the demolition of their house, and they were threatened with arrest if they did not comply. No further information was provided on the process/outcome of relocating the residents, and no form of support was provided.

The community reported that they are not being compensated by the SRT for the demolition of their homes, as the understanding was that there is a “No Compensation” policy. To add to the community’s plight, the SRT insisted that the relocated residents would need to retroactively pay back the cumulative lease value of the land. This amounts to roughly THB 257,600 (US\$7,600), averaging THB 23 per square meter for a total land area of 11,200 square meters.<sup>45</sup> It is unknown whether the relevant regulations (e.g., Section 37 of the Expropriation and Acquisition of Immovable Property Act B.E. 2562 [2019]) were followed for such acts of land expropriation, and further research through interviews with the SRT would be required to better understand such claims by the community as well as the SRT’s actions in expropriating the land. However, the CODI representative argued that the community did receive compensation for the demolition from SRT but chose to allocate those funds to housing construction instead.

Section 28 of the Expropriation and Acquisition of Immovable Property Act B.E. 2562 (2019) provides extensive details on the responsibilities of parties in the acts of land expropriation. Specific attention can be drawn to the following:

Paragraph 1:

*“In the case where any Owner does not agree to sell immovable property under section 25, further proceeding shall expeditiously be taken for enactment of an Act expropriating immovable property.”*

Paragraph 2:

*“... the Official may, with the approval of the Minister, issue a Notification for taking possession of and using such immovable property prior to the expropriation, provided that the Official may take possession of or use such immovable property when compensation has been paid to the Owner or a deposit of money has been made under section 46 ...”*

Paragraph 4:

*“... the Official shall give the owner not less than ninety days’ prior written notice as from the date of payment of the compensation or the deposit of money and in the case where it is necessary to demolish such structures or relocate property, the Owner shall complete the demolition and relocation thereof within such period of time. If the Owner fails to take action within the time specified, the Official shall have the power to carry out such operation at the owner’s expense.”*

Community representatives further reported that the MOT employed measures to encourage the community’s relocation with minimal resistance. To facilitate the resettlement process, 50 soldiers and 40 trucks were deployed to provide logistical support and ensure an orderly transition for residents. This may suggest a potential perception of pressure on residents by the project owner, working through government agencies, to minimize opposition to the relocation decision, potentially limiting their ability to advocate for fair treatment. Additionally, reports from the Prasopsook community did not indicate full compliance with relocation and expropriation laws, as outlined earlier.

Last, community members reported that the relocation site lacks adequate lighting, including along the road leading to the new site. While CODI was able to support the communities in obtaining access to basic utilities such as water and electricity, communities reported that the lack of adequate support from the State has left them struggling to adapt, with women, elderly, and children left without a proper, stable home and

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<sup>45</sup> 1 rai is the equivalent of 1,600 sq-m. Therefore, this is a total of roughly 11,200 sq-m.

reporting that it is now extremely difficult to live. This is indicative of a violation of their basic rights under the Constitution of the Kingdom of Thailand B.E. 2560 (2017), Section 56, paragraph 1:

*“The State shall undertake or ensure that the basic utility services which are essential for the subsistence of the people be provided in a comprehensive manner in accordance with sustainable development.”*

However, by 2024, significant progress had been made in providing adequate utilities and housing construction at the resettlement site, as it is a part of Baan Mankong (Secure Home)<sup>46</sup> initiative, spearheaded by CODI.

*“We have been living here for more than 50–70 years and the government agencies acknowledged it, but when the development project took place, they just asked us to leave.”*

*—Female respondent; Prasopsook Community*

The impact of the HSR development on the Luang Pho Suriyamunee community in Ayutthaya has also been significant, with around 40 households affected. Most households in this area rent SRT land, some rent temple land, and the local municipality has been working to find new land for the community. The community consists of low-income residents with no land tenure, mostly hawkers selling food on the train. They live within one kilometer of the proposed project area, and construction has not started in this region yet. Currently, the status and living conditions of the community are quite poor, and 31 out of the 40 households decided to join a campaign by CODI.



These residents reported being told by the SRT that they are considered illegal occupants and must relocate. According to one of the stakeholders interviewed, residents with no land tenure are not compensated for the physical displacement resulting from the project. Instead, these residents must work to earn land by joining a community-based savings group, which later will be registered under “Baan Mankong” project for the railway-affected communities, enabling them to receive financial support from the government.

The community reported that the Ayutthaya municipality, in collaboration with CODI, advised them to relocate and rent new land at Wat Pradu Songtham, situated roughly one kilometer away from their current location, and join a group savings contract that requires a minimum deposit/savings of THB 2,000 per month. The residents have been participating in this program since the beginning of 2023. However, ten

<sup>46</sup> Baan Mankong channels government funds—such as infrastructure subsidies and low-interest housing loans—to low-income and infrastructure-affected communities, enabling them to plan and manage their own housing, environmental, and basic service improvements.

households reported that they could not participate in the savings group, as they do not have the financial capacity to do so, and must find alternative housing options. This demonstrates that the most vulnerable households are often excluded from government assistance systems.

The lack of communication and engagement from the SRT has left the community feeling helpless and uncertain about their future. One of the main concerns reported by the community is that women and children have to travel much farther for work and school. This could place them in more precarious situations since there is no support from the government in their relocation process. With regards to the elderly, it was reported that most are highly likely to stop working (lose their income/livelihood), as they cannot travel the additional distance for work.

*“SRT have been letting us stay on this land for 70 years already, why hurting us now? Some of us ages between 70 and 75 years and have been earning with honest occupations.”*

*—Elderly female respondent; Luang Pho Suriyamunee Community*

The Wat Chaeng Phatthana community in Ayutthaya, which is made up of rental and tenure residents, were also left feeling frustrated and uncertain about their future due to the lack of clear communication and conflicting information they received. The community lives within one kilometer of the proposed project construction area, and several households currently hold a rental contract with the Temple Committee. It is a common practice in Ayutthaya for individuals to rent land from temples under the supervision of the National Office for Buddhism. Although they have heard about the project, they reported not being given clear details about the construction plans or the extent of the impact on their community. Despite engaging with different organizations, they have not received consistent information, leading to confusion and mistrust. Furthermore, the lack of official updates about the resettlement plan has left them feeling scared and in the dark about their fate.

*“If we have to resettle, where will we be? When do we have to move? What do we have to do? How much will be compensated? Who will support the progress?”*

*—Female respondent; Luang Pho Suriyamunee Community*



While some are willing to learn new skills and take up new occupations, the community’s preference is to stay in their existing locations. The community would like transparency from the authorities and clear communication about the impact and scope of the project. With about 80 percent of the community on

rental contracts with the temple, they are in a vulnerable position and need support to navigate the resettlement process (when it is to occur). It is crucial that the authorities provide accurate and consistent information to the community and ensure that their voices are heard and their concerns are addressed in the planning and implementation of the project.

*“We are worried to the point that we are wary of all organizations that had visited us. We are afraid to sign everything.”*

*—Male respondent; Wat Chaeng Phatthana Community*

Stakeholder feedback, both from local public officials and communities themselves, provides evidence of a significant lack of understanding of rights afforded to communities under the law. Sufficient prior notice was not provided to affected households, and no mechanisms were put in place to allow community members, let alone vulnerable groups, to appeal decisions made regarding expropriation compensation decisions, or land relocation processes.

Concerningly, a common feature appears to be that rights afforded relocated households are contingent on their agreeing to join a savings group under the aegis of CODI, in direct contravention of the expropriation law.

### 3.3.2 Economic Displacement

In Saraburi, individuals who were randomly interviewed reported that the HSR development resulted in the shutting down of a popular local night market, which affected approximately 50 shops and many of the households that relied on these shops for their livelihoods. The dismantling of the night market resulted in the community members having to find other locations to set up their shops, scattering them across various areas or to homes with less foot traffic. It was reported that, although prior notice was given by the SRT (only one month in advance and not 90 days, as stipulated under the law), there was no compensation paid for the impacts on their livelihoods, nor was there any form of assistance provided in the relocation process (e.g., identification of new area/land, process to support the move).

Elders in the Luang Pho Suriyamunee community are also concerned about the impact of the relocation on their livelihoods, as they rely on selling goods to passengers that frequently transit through the train station. The proposed new location for selling their goods presents challenges, as it requires the elderly to travel farther for work (i.e., to the train station) and may result in a further loss of income. The elderly in the community especially echoed this through their concerns of possibly needing to change occupations, as the new situation would not support their livelihoods.

*“Taking care of railway communities requires careful legal management. Supporting poor communities is necessary along with city development; therefore, cooperation between government agencies and communities is a must.”*

*—Male respondent; Ayutthaya Municipality*

On the other hand, some community members echoed concerns associated with women and elderly being able to access income-generating activities after resettlement. The exact number of women, elderly, and youth affected by this is unknown. However, it is abundantly clear that individuals are negatively impacted through the following statements provided by community members:

- The primary source of income for the elderly and many women is from selling goods to passengers on trains.

- By relocating, these individuals now have to travel longer distances (approximately ten kilometers) to the train station, which is more financially demanding as well as time consuming, yielding lower income and less time at home for household activities. Previously, with the train station in walking distance to their homes (assumed zero costs for travel), the current situation adds a factor of transportation costs that was never assumed before.
- Most of the elderly cannot commit to this. As a result, they are attempting to seek alternative livelihood options at the new location—which was reported by individuals—that most likely will provide lower income than they were receiving from the sale of goods to train passengers.
- The concerns about lighting along the road/path from the new location to the train station also places women and youth at high risk during the evening/nighttime, when traveling back from work and/or school.
- Last, combined with a decreased income, the community members have to now pay rent at the new location, which is an added expense that they never had before relocation.

This could be a potential avenue for trafficking or violence if these members of the community are unable to rebuild their lives, become homeless, or lose their livelihoods. As the Mekong subregion is a hotspot for transient trafficking, it is common for middlemen recruiters to target individuals in vulnerable situations, particularly women, with false promises of employment opportunities abroad, often masking exploitative intentions.

### 3.3.3 Government's Response

To avoid conflicts, each government agency has its own set of responsibilities. The representatives from the municipalities in Ayutthaya and Saraburi stated that the SRT is responsible for compensating those impacted by resettlement. This was also echoed by the Train Union, who reported that the resettlement and compensation process are mainly to be carried out by the SRT for a development project. However, the municipalities do not have access to the details of this process.

They cited that “*The [SRT] has done its best to handle the process. However, they do not have the proper capability, resources, and budget to lead the process properly.*” The lack of resources makes the process more difficult and significantly prone to disputes.

The lack of support and response from the SRT and other government agencies implies limited adherence to social safeguarding and that responsible parties are not listening to the communities' needs.

## 3.4 Findings on Impacts on Community Health and Safety (Focus Area 2)

The government representative in Ayutthaya reported no concerns to health and safety. For vulnerable groups, it was mentioned that support is provided to them by specific agencies/entities, such as the National Health Security Office (NHSO) and Village Health Volunteers (VHV). However, this is not related to the HSR construction, and these are the usual community visits for checkups on the health and well-being of the elderly and vulnerable groups. In Saraburi, two key impacts to health and safety from the HSR project were reported: (i) air pollution and dust, and (ii) traffic congestion.

The Saraburi municipality reported receiving grievances related to dust pollution from the construction. These grievances also mentioned that the schedule for water spraying is not clear and properly followed, and in some cases the spraying causes the roads to be muddy and slippery, which can be a potential hazard for residents. Last, the grievances also stated that the construction sites did not have adequate installation and maintenance of lights. The municipality stated that they are trying to respond to and manage the grievances as best as possible. However, they also reported that this should be the responsibility of the project owner/contractor, and the municipality has high expectations of the project owner/contractor to take initiative in resolving the issues in a timely manner, as well as directly with the communities impacted. This is known to be a common issue with regards to reluctance of responsibilities between different government

agencies when jurisdictions overlap. The end result is slow coordination and collaboration between departments, leading to resolutions after long periods of time. No further details were provided in follow-up to this.

*“The project contractor should ensure that all mitigation policies are implemented effectively and sufficiently, so that the grievances will not fall onto municipality’s responsibility.”*

*—Male respondent; Saraburi Municipality*

Ongoing construction work in Saraburi, Thailand, for the HSR project.



The Prasopsook community in Nakhon Ratchasima reported concerns about health and safety. First, it was mentioned by some community members that they did not receive adequate information on how the contractors would manage the construction in their areas. Most of the community members reported being impacted by dust and noise from the construction. In some instances, they reported that the loud noise would progress from roughly 10:00 p.m. to 11:00 p.m. until the morning. Some of the residents who were already stressed about the resettlement stated that they were now also unable to sleep properly at night and that no solutions were provided for the noise. With regards to the dust pollution, after submitting complaints, they reported that the contractors would visit the area and spray the ground with water. However, they reported being unhappy about it, as it made the roads slippery and wet, posing potential safety hazards for some residents (e.g., vulnerable people, children, elderly).

*“The project contractor does not pay attention to the community’s grievances. They only focus on progressing the project.”*

*—Elderly male respondent; Prasopsook Community*

Last, members of the Prasopsook community also reported fears for the safety of their children as a result of improper management measures for the construction of the project. Proper fencing was not installed

around the construction sites, and only plastic wiring was used to cordon off areas. At the time of writing, they reported that no accidents have occurred yet; however, community members are highly concerned about their children and other residents accidentally crossing into construction sites.

#### Construction vehicles operating at evening times.



The Wat Chaeng Phatthana and Luang Pho Suriyamunee communities did not report any concerns about health and safety. However, they did highlight that they expect to experience a lot of dust and noise pollution when the construction begins in their area.

Other stakeholders, such as the Train Union, reported indirect concerns for health and safety. The Train Union stated that locals living along the railways are usually at very high risk of injury or death, as they cross the railway at undesignated areas. This poses a significant risk for rail accidents and suggested that proper measures should also be placed to mitigate these risks—especially when considering the construction of high-speed trains passing through these communities.

Concerns reported by external stakeholders on the management of railway safety are quite substantial given the type of trains that will be serviced through these regions. To safeguard not only the locals living along the railway, but also passengers on trains and the surrounding environment, safety measures and concerns from communities must be considered to prevent railway accidents from undesignated crossing zones. For instance, derailment of trains can be a high risk (and significant catastrophe) if government agencies and the project owner do not consider complaints and feedback from stakeholders on the undesignated crossing zones. It is unclear whether such concerns are considered in the EIA monitoring reports or design plans, as no relevant information could be sourced at the time of writing.

#### **Cultural Heritage**

Ayutthaya is a city with various national heritage sites, and any land development must involve decisions from the Fine Arts Department, which works independently and rarely participates in conversations with other agencies. Ayutthaya's cultural heritage must be taken into account during any land development processes, and the Fine Arts Department's input is crucial to achieving a balance between development and preservation. Unfortunately, it was reported by the Fine Arts Department that these levels of collaboration are quite minimal in finding resolutions to the land expropriation and development involving cultural sites.



*The protection of national heritage structures is the primary responsibility of the Fine Arts Department. However, the department was only recently made aware of the new international requirement from UNESCO, the Heritage Impact Assessment (HIA), in 2020. Without HIA approval, there is a large risk for Ayutthaya, which hosts a world heritage site, being removed from UNESCO's list. This could result in negative impacts, such as less tourism, a bad reputation for Thailand, and other heritage sites being put on UNESCO's watch list. Though not required under Thai law, HIA alignment with UNESCO guidelines is crucial. The Fine Arts Department is responsible for developing the HIA report structure, while the Ministry of Transport and SRT develop the report itself. The Fine Arts Department receives pressure and criticism from both conservative and progressive groups regarding the development of cultural heritage. Moving forward, the construction design of the old Ayutthaya train station, covered under Thailand's heritage protection law, will be discussed after HIA approval.*

*"Projects related to cultural heritage should not be budgeted normally. The cost of conservation should always be considered."*

*— Respondent of the Fine Arts Department*

Significance to cultural heritage sites can be known to impact the mental health of residents, especially given the importance of these sites to native culture and history. Although not seen as physical health risks to communities, it is important to consider the potential mental health impact on individuals from losing certain heritage sites, pieces of history, or part of their culture.

### 3.5 Findings on Existing Grievance Mechanisms in Place and Their Effectiveness (Focus Area 3)

The Saraburi municipality faces significant challenges in resolving grievances related to community well-being, primarily due to insufficient funding and the independent working nature of government agencies. The annual budget received by the provincial agencies is not project-specific, making it difficult to allocate human resources specifically for handling grievances related to the HSR project. The Ayutthaya municipality makes it a priority to receive grievances and connect with related organizations to resolve these grievances and mitigate further issues. They also reported having a short budget to allocate resources for resolving grievances.

Feedback from the Saraburi mayor indicated that there have been serious breaches with regard to environmental protections, and problems relating to communities' ability to lodge complaints thereby, in addition to capacity gaps related to public officials' enforcement of key protective provisions.

Despite these hurdles, Ayutthaya reported taking on the responsibility of helping impacted communities find new land with proper access to basic utilities (such as water and electricity), health care, education, and religious institutions. However, the communication process remains difficult, and the municipality must connect with different agencies independently, causing delays in resolving grievances. Saraburi

reported introducing a mobile application to facilitate communication and enable residents to voice their opinions and concerns about the ongoing development project.

Snapshot of community members and travelers frequenting Ayutthaya Train Station.



Other stakeholders expressed the need for the SRT to establish better policies and a system to handle grievances resulting from the HSR development. Currently, the process is handled separately, with the SRT overseeing only the design and construction of the HSR, whereas the CODI under MSDHS is responsible for handling the grievances and taking care of those affected by construction activities. As reported in earlier sections of this report, it is common to see a lack of ownership of responsibilities between different entities when either (i) jurisdictions overlap or (ii) more than one entity is required to collaborate on resolutions to grievances.

Based on Thai law and requirements under an EIA, it should be the responsibility of the project owner(s) to resolve grievances directly related to the construction and operation of a project, with support from relevant government ministries to facilitate cooperation with the public. However, given that the SRT is a State-owned enterprise managing the full construction of the HSR, the responsibilities between different entities (e.g., MSDHS) were stated to be unclear. This was evident when interviewing the municipalities and other representatives from public authorities, where these individuals often directed the responsibility of GMs to other stakeholders. It is recommended that further research be conducted through an interview with the SRT to understand their perspective in coordinating the resolution of these grievances. However, the SRT could not be reached for inclusion in this study.

*“They considered us as illegal residents; no one tried to listen to us or provide support, only eviction notice.”*

*—Female respondent; Luang Pho Suriyamunee Community*

The Prasopsook community in Nakhon Ratchasima reported that they submitted grievances multiple times, and the communities tried to raise issues and concerns with project staff members (project contractors) that

visited the communities. However, the community members stated that the staff members would change at every visit, therefore leaving them with no response to their grievances. The information provided was different each time, and so the community members would feel helpless in having to reiterate their concerns and receiving different responses and feedback from the staff members who would visit the communities. The participants also expressed concern that they feel their grievances are not being heard, as the municipality also did not contact or visit them, and they have to rely on agencies such as CODI for support. Considering they had to deal with the resettlement process mostly by themselves, it was reported that the lack of support from addressing grievances leaves them with little room to rebuild/maintain their livelihoods.

The Wat Chaeng Phatthana community in Ayutthaya reported that they keep in close contact with the municipality for updates on grievances. Currently, their main channel of reporting grievances is through their community leader and supporting committees. They rely on their support to return feedback and solutions to the issues raised, and at the time of writing, they did not mention any concerns about receiving feedback on their grievances. It is generally understood that community leaders and the municipality act as “messengers” in delivering feedback/resolutions to the project owner about grievances reported by community members.

However, the Luang Pho Suriyamunee community in Ayutthaya reported that no one, including the vulnerable groups, in the community has access to GMs. These community members reported that they often try to deal with their issues themselves, and currently they are too focused on the group savings program to support their resettlement process. They do not have any external support on the resettlement and so focus most of their efforts on income-generating activities to facilitate an easier transition when the process would eventually begin. For the households that currently do not have the capacity to join the program, it was reported that they also do not have any alternative options and are unable to access any form of grievance to voice their concerns.

With regards to the billboard sign in Saraburi shown below, grievance reporting channels are provided through Facebook and Line QR codes. These were tested by the research team, and a contact number was provided through chat. However, it is unknown whether the grievances actually reach the civil works (i.e., project developers) and if they are resolved. On the other hand, local businesses in the area reported that they usually do not use the reporting channel shown here and try to submit claims to the SRT directly.



Billboard signs in Saraburi, Thailand, to contact the SRT via different channels.

### 3.6 Findings on Impacts from Accelerated Crime (Focus Area 4)

Impacts from accelerated crime encompass transnational organized crime in the form of human, drug, and wildlife trafficking, particularly affecting women and other vulnerable groups. In general, the communities interviewed did not raise any major concerns about accelerated crime in the area. There was a common understanding, reported by the community members, that most of the workers are Thai and that migrant workers would be placed at different construction sites away from the communities. However, members from Luang Pho Suriyamunee reported that they are concerned for the safety of women/girls who need to travel for work or school. They raised their concerns about the construction workers and that it could pose a risk to their safety when needing to travel.

The Human Trafficking Expert reported that most of the cases would most likely be located near the city center (closer to Mahachai and Hua Lamphong stations). Human traffickers (“Recruiters”) often target vulnerable groups and individuals in precarious situations, luring them with the false promise of jobs and other income-generating activities. The expert expressed concerns that there could be an increased possibility for affected community members to become homeless as a result of relocation/eviction, and prone to human trafficking if they did not receive appropriate compensation for resettlement. The expert also highlighted the specific vulnerabilities of “undocumented” groups<sup>47</sup>—that these individuals require more attention and a dedicated research/data-collection team should be put in place to manage any potential risks. This should be updated on a regular basis to monitor any potential issues with trafficking. Reference can be made to the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, to facilitate the monitoring and support such groups in Thailand.

Last, it was reported that the implementation of government policies changes when agencies change, and this makes it difficult to track human trafficking cases and solve them. For example, after each election or changes in government staff/resources, policies governing the identification and tracking of human trafficking cases and migration often change. This causes an interruption in data-collection and resolution processes, leading to cases being retroactively processed instead of proactively. This can be because provincial-level authorities will wait for policy reforms and guidance by national-level ministries and place a hold on resolving existing cases, leading to highly time-consuming processes in resolving human trafficking cases. This is an issue primarily related to the lack of open discussion, communication, and cooperation with government agencies during changes.

### 3.7 Gender Equality and Social Inclusion

**Working conditions:** During the FGDs it was reported that men usually travel outside the community to work, while most women stay within the household to take care of the children and elderly. Common occupations for men were identified as wagedworkers in the industrial sector or in the city, or as employees of businesses. Other than being housewives, some groups of women who stay at home also reported earning extra income by engaging in selling of goods (such as food, snacks, drinks, and secondhand goods). Most of the elderly groups, both male and female, normally reported staying at home and helping with housework or taking care of the children. These groups reported receiving an elderly monthly allowance from the Thai government.

In some communities where the main occupation was selling goods to passengers on trains that frequented the stations, it was found that both men and women equally participated in this income-earning activity. Food and beverages are the primary form of goods sold, as most scheduled trains in Thailand do not include on-board food carts or vending machines. However, because of COVID-19 in the country, trains are operating less frequently and with fewer commuters, resulting in lower income-generating potential for these community members.

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<sup>47</sup> “Undocumented” refers to those without citizenship status. In this case, it is the result of migration and individuals not following a civil registration process to have registration in a legal system (i.e., birth certificates, residency, etc.).

**Gender-based violence (GBV):** There were no reports or evidence uncovered from the communities within the target areas that indicated GBV or domestic violence could be directly correlated to the HSR project. Although some participants expressed concerns regarding violence (mental, physical, or verbal), it was mainly reported as common household arguments related to daily living. It was unclear during the interviews whether these comments from participants were connected to trauma or post-resettlement stress as a result of the HSR development. Some participants also reported that household decisions are usually made by both husband and wife, and in some cases, the wife's decision is considered as final. Once again, it is unclear how decision-making processes are guided in the households and whether there was any linkage to violence.

## 4. Recommendations

Based on the analysis of the key findings, this study provides the following recommendations for the future development of the Bangkok–Nong Khai High-Speed Railway.

### 4.1 Focus Area 1: Impacts on land and livelihoods

Given that some of the interviewed community members reported that they were not provided adequate periods of notice (or compensation) for their eviction and relocation process, the research team determined that this could be seen as plausible coercive tactics to get communities to comply with the eviction process.

- SRT and the MOT should ensure that standards be upheld during these types of processes, especially considering the challenging mediation processes between large private entities (e.g., project developers and contractors) and local community members.
- The MSDHS needs to be involved in the consultation and planning processes between project developers and contractors, to ensure there is transparency in following relevant standards and guidelines when implementing large-scale development projects. This would help facilitate safer and more inclusive processes in relocations related to infrastructure projects.

### 4.2 Focus Area 2: Impacts on community health and safety

Resettlement issues for the poor households in the Luang Pho community can potentially create issues for the well-being of those who could not afford to partake in the savings program offered by CODI.

- To be more inclusive, MSDHS and CODI should make an effort to understand why the poorer households (i.e., those that cannot engage in savings programs) cannot benefit from alternative solutions. At the time of writing, the status of the ten households (who could not participate in the savings program) is unknown.

Safety concerns for women and youth traveling at night were raised during this research. Emphasis was also placed on the struggle for women and children at resettlement sites to adjust to new environments while trying to maintain their livelihoods.

- The MOT and MSDHS should allocate funding to develop street lighting, signage, and roads for resettled communities. This can also be through cooperation with project developers and owners, to mandate these private companies in ensuring that project budgets also allocate appropriate amounts to provide the basic amenities and standards of living at relocated sites.
- The relevant local government entities responsible for that district area should be included in the communication and assigned social safeguards risk-mitigation implementation—for example, the municipality office that takes care of the utilities and community safety and emergency response for the district where HSR development takes place.

Potential hazards and impacts to children were also evident through observations and reports of safety concerns around construction sites (particularly mentioned in the Prasopsook community).

- MOT and SRT should ensure that the “Minimum Safeguard Standards” be communicated to contractors and upheld during construction. Following minimum standards is a requirement under national law and international standards. Reference can also be made to external guidance documents such as the Thailand Taxonomy (published publicly by the Securities and Exchange Commission of Thailand), or basic safeguard standards and regulations for construction.
- SRT and CODI should engage with civil society organizations (CSOs) and community-based organizations (CBOs) at the ground-level to raise awareness and provide education sessions to

communities, to educate children on the potential hazards from construction sites. Based on observations and analysis of responses from the EIA monitoring reports, it appears that contractors do not consistently follow safety standards around construction sites or may not abide by them completely, so knowledge of potential hazards can prevent accidents.

### 4.3 Focus Area 3: To understand the existing grievance mechanism in place and its effectiveness

Due to the lack of a comprehensive system to manage situations of relocation/eviction, communities residing on land claimed by the State are known to be significantly disadvantaged given that there is currently no legislation in place to support them (i.e., those living on inherited land without titles). While relevant authorities consider some individuals to be “living illegally,” they are eligible to receive compensation if they adhere to specific government guidelines, as direct funding to individuals is not permitted by the State.

- CODI should engage with communities directly with the support of CSOs and bridge communication gaps with government representatives to ensure a fair and just process for relocation and eviction.
- CSOs are encouraged to work with vulnerable communities through outreach programs to provide awareness and knowledge to community members on their rights to fair compensation and negotiation, as this is stipulated under Thai law.

In instances where national laws and regulations do not require project developers to address impacts on communities, CODI and CSOs should reference relevant international regulations to facilitate response mechanisms for communities impacted by development. For instance, the *Committee on Economic, Social and Cultural Rights, General Comment No. 7* provides guidance for evictions under exceptional circumstances and links this to international human rights law,<sup>48</sup> ensuring adequate provisions can be provided for communities facing eviction. These include but are not limited to actions that need to be followed by the initiator, such as Assessment Questionnaires and Eviction Impact Assessments.

### 4.4 Focus Area 4: Impacts from accelerated crime such as transnational organized crime in the form of human, drug and/or wildlife trafficking affecting women and other possible vulnerable groups

When individuals are placed in precarious situations, such as through the loss of income, jobs or livelihoods, and relocation, it opens up opportunities for trafficking through lack of awareness (by community members) and predatory actions by so-called recruiters.

- SRT and other government agencies should develop and implement community-centered programs that focus on addressing the specific vulnerabilities that make individuals within these communities a target for traffickers. These programs should prioritize education, vocational training, and economic empowerment.
- MSDHS, as part of its mandate, should collaborate with other government agencies, such as the Ministry of Health, to ensure reliable access to essential social services, including health care, legal support, and counseling, particularly for women and vulnerable groups. Many victims of trafficking endure physical and psychological trauma; providing support services can aid in their recovery. This is important to consider, as most trafficking reports in Thailand are accounted retroactively, not proactively.

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<sup>48</sup> Forced Evictions and Human Rights. United Nations Human Rights Office of the High Commissioner (UNOHCHR).

## Annex A: Data-Collection Activities

Table A.1: Criteria proposed for outreach to relevant stakeholders for the primary data collection.

Stakeholder	Types of Representatives
Government	Village- or district-level representatives in the targeted areas for intervention.
CBOs	Farmer groups/cooperatives, local business collectives, and worker unions.
Local NGOs and CSOs	Relevant groups or organizations working in the social impact and human rights sectors to provide insights on aspects of trafficking, GBV and sexual exploitation, abuse, and harassment (SEAH), and other issues related to gender and social inclusion, and social safeguarding.

Table A.2: The list of FGDs and KIIs conducted during the data-collection phase.

Organization	Type	Date	Start	End	Engagement method	Location	Gender	
							F	M
Railway Union	KII	February 18, 2023	9:30	10:30	Online	Zoom	-	1
Independent Researcher	KII	February 27, 2023	10:45	11:17	Online	Zoom	1	-
Wat Chaeng Phatthana Community	Female-only FGD	March 6, 2023	10:00	10:45	In-person	Ayutthaya	8	-
Wat Chaeng Phatthana Community	Mixed FGD <sup>49</sup>	March 6, 2023	10:50	11:32	In-person	Ayutthaya	7	3
Wat Chaeng Phatthana Community	Mixed FGD	March 6, 2023	11:38	12:10	In-person	Ayutthaya	15	4
Luang Pho Suriyamunee Community	Mixed FGD (local businesses)	March 6, 2023	16:00	18:00	In-person	Ayutthaya	27	20
Mayor, Ayutthaya Town Municipality	KII	March 7, 2023	9:46	11:00	In-person	Ayutthaya	1	1
Deputy Mayor, Saraburi Town Municipality	KII	March 7, 2023	16:00	16:27	In-person	Saraburi	-	1
Prasopsook Community	Mixed FGD	March 8, 2023	12:53	13:45	In-person	Nakhon Ratchasima	3	2

<sup>49</sup> It was reported that a member of the LGBTQ+ community was present at this FGD.

## Social Safeguarding on the Bangkok-Nong Khai High-Speed Railway Development

Organization	Type	Date	Start	End	Engagement method	Location	Gender	
							F	M
Prasopsook Community	Mixed FGD	March 8, 2023	13:49	14:40	In-person	Nakhon Ratchasima	7	3
Community Organizations Development Institute (CODI)	KII	April 3, 2023	10:19	11:09	In-person	Office (Bangkok)	-	1
The Fine Arts Department	KII	May 2, 2023	14:00	15:00	In-person	Office (Bangkok)	-	1
Office of Transport and Traffic Policy and Planning (OTP)	KII	May 3, 2023	10:30	11:30	In-person	Office (Bangkok)	-	3
Local business representatives in Saraburi	Randomized (KII) Interviews	May 31, 2023	13:00	16:00	In-person	Saraburi	3	-
Department of Public Works and Town & Country Planning	KII	May 31, 2023	10:50	11:50	In-person	Nakhon Ratchasima	1	1
Community Representative from Korat	(Informal) Interview	June 11, 2023	-	-	Virtual	Nakhon Ratchasima	1	-
Community Representative from Ayutthaya	(Informal) Interview	June 15, 2023	-	-	Virtual	Ayutthaya	-	1
						Total	74	42

## Annex B: Questionnaires

### B.1 Questionnaire for Community Members and CBOs/Unions

Date of Interview: \_\_\_\_/\_\_\_\_/2023                      Start Time: \_\_\_\_\_                      End Time: \_\_\_\_\_

Location of the interview: \_\_\_\_\_                      Number of participants: \_\_\_\_ M: \_\_\_\_ F: \_\_\_\_

#### Objective 1: To understand the impacts on land and livelihoods

No.	Question
1.1	Do you know about the project and its activity in the area? If yes, how do you know about the project? (community town hall, pamphlet, family member and friends)
1.2	How do you know about the project? (community town hall, pamphlet, family member and friends)
1.3	Has land been expropriated from community members? Has land been disproportionately expropriated from women and particularly female heads of households, widows, and divorcées; elderly (people) and retired; low-income households; and people with physical/mental health and disability?
1.4	Have you been informed about the resettlement plan and process from the project? **If no, interviewer to explain the terms
1.5	Which communication methods were used by the project for the resettlement plan? And how long in advance? How many days did you have to ask questions?
1.6	Do you feel the resettlement plan and process engagement were conducted in a meaningful way? (covering the positive and negative impacts)
1.7	Was the engagement open for opinions before finalizing the resettlement plan? And how long in advance?
1.8	Was any form of resettlement undertaken prior to construction starting? Have you or anyone in your family been involved in the resettlement process?
1.9	Did the community members want to move?
1.10	Did the community members have access to land tenure security?
1.11	Were households with land tenure security treated differently than households without?
1.12	What notice periods are you given for resettlement and compensations?
1.13	Are the same notice periods given for everyone affected, i.e., women and particularly female heads of households, widows, and divorcées; elderly (people) and retired; low-income households; and people with physical/mental health and disability?
1.14	If there was any form of resettlement, was compensation provided in the form of money or alternative land? Compensation (go to question 1.15 to 1.17) Alternative Land (go to question 1.18 to 1.20)
1.15	If there was any form of resettlement, was compensation paid at the market rate, including taxes for the new land?
1.16	If there was any form of resettlement, what other forms of compensation paid was provided, i.e., for the cost of deconstruction, and all costs related to replace establishment, i.e., architecture cost, construction workers cost, taxes, insurance, licenses, and tree planting?
1.17	If there was any form of agriculture harvesting or farm land disrupted, what other forms of compensation was provided, i.e., did the compensation also cover the expected profit and the losses from stopping a business?
1.18	If there was alternative land provided, were provisions taken in terms of access to basic infrastructure (i.e., shelter, toilets, food, water) and proximity to institutions (i.e., schools, hospitals) and cultural aspects?
1.19	Is the location of the alternative land safe? Is there adequate street lighting?
1.20	Do the community members have land ownership security of the alternate land?

No.	Question
1.21	Were any small businesses evicted/relocated? Were any of them women-led businesses?
1.22	Was compensation paid for any businesses which were impacted due to resettlement?
1.23	Did resettlement impact on the ability of any community members to earn a livelihood?
1.24	Were women and particularly female heads of households, widows, and divorcées; elderly (people) and retired; low-income households; and people with physical/mental health and disability disproportionately affected?
1.25	If there was any form of resettlement, was equal compensation paid to women and men? How much? If no, why do you think this is the case?
1.26	If there was any form of resettlement, was equal compensation paid to households that did not have land tenure security versus households with land tenure security? How much? If no, why do you think this is the case?
1.27	If there was any form of resettlement, were there any factors applied to account for vulnerabilities (i.e., women and particularly female heads of households, widows, and divorcées; elderly (people) and retired; low-income households; and people with physical/mental health and disability)?
1.28	Was there any case of compensation dispute? What was the dispute caused by?
1.29	Is there any mechanism to dispute the compensation offered?
1.30	If yes, what are they? If no, why not?
1.31	Do you feel that women and particularly female heads of households, widows, and divorcées; elderly (people) and retired; low-income households; and people with physical/mental health and disability are able to access these mechanisms?
1.32	Have you had to take out debt because of any project-related impacts, i.e., eviction/resettlement? If yes, for what reason? Who did you take the loan from? How much is the loan?
1.33	Was the resettlement conducted in a peaceful manner? If not, can you describe why? Was anyone physically injured in the resettlement process?

**Objective 2: To understand the impacts on community health and safety**

No.	Question
2.1	Did your community face any noise, traffic, and/or pollution issues due to the project construction?
2.2	Has there been an increase in noise, traffic, and/or pollution in the area? Was the community informed about project activities causing these issues ahead of time? If yes, did you receive any support, from project owners or local authorities, in managing this change?
2.3	If air pollution cannot be remedied as easily in certain areas, are alternative provisions given to communities to adjust during the construction phase (i.e., watering of roads in high traffic areas, access to masks at stores, etc.)?
2.4	What considerations for the people in the residential buildings and community areas were taken when installing the fence around the construction site, and how is it maintained through the construction? Were separate consultations with women and other vulnerable groups conducted?
2.5	Did the fencing cut off access to important facilities or locations (i.e., work, government offices, school, hospitals)?
2.6	Did the project make provisions to accommodate any inconvenience caused by the fencing?
2.7	Were appropriate signage and safety measures set up to ensure children do not endanger themselves by crossing the fencing perimeter?
2.8	Were people with disabilities consulted or given informed consent when setting up the fencing perimeter?
2.9	Does the temporary fencing site affect the day-to-day lives of women and particularly female heads of households, widows, and divorcées; elderly (people) and retired; children, low-income households; and people with physical/mental health and disability? If so, what measures are considered for remediation?

2.10	Are you aware of rock blasting as part of the construction? Does it impact you?
2.11	Did you receive any training/awareness on understanding and managing the concept of rock blasting in the area? Was there any specific session for women and other vulnerable groups?
2.12	For individuals, especially children and/or people with disabilities, is there any support provided after rock-blasting activities?
2.13	A designated route is to be made for the trucks. Do you know if children and/or people with disabilities are provided training/awareness on designated truck routes to ensure their safety? Are you concerned for their safety given the increase in traffic?
2.14	Were you impacted by the project logistic trucks? How?
2.15	Are you affected by the noise from construction? Are you aware that there are designated hours for noisy activity? In the case that noisy activities continue outside of the working hours, are you provided with any notice?
2.16	How is the information on hours for noisy activities or other project information disseminated?
2.17	Have there been any impacts to water quality as a result of the project?
2.18	Have there been any changes in terms of flooding as a result of the project?
2.19	Have there been any impacts to sewage and drainage as a result of the project (i.e., did the project build on lakes/wetland areas which served as wastewater treatment)?
2.20	Is there any mental health support from the impact caused by the project? If yes, what is the support?
2.21	Are there any other impacts that you think are caused by the project activities? How so?

**Objective 3: To understand the existing grievance mechanism in place and its effectiveness**

No.	Question
3.1	What are the methods to complain? Do you know if there are follow-up mechanisms if complaints are not addressed, or do new complaints need to be filed? What are the follow-up measures taken to the complaints received by local businesses?
3.2	Is more than one method for submission of complaints provided (i.e., online; written; orally)? Can complaints be submitted in different languages or only in Thai?
3.3	Have you been informed on or received any guidance on how to submit complaints?
3.4	Do you feel that all members of society (women and particularly female heads of households, widows, and divorcées; youth (18–24); elderly (people) and retired; low-income households; and people with physical/mental health and disability) can access the GM/complaints mechanism?
3.5	Have you ever filed a complaint related to the project affecting your livelihood?
3.6	If you needed to submit a complaint, would you feel comfortable doing so without feeling scared of repercussions?
3.7	How has your complaint been received and addressed by the project owner? (skip if answer to 3.6 is no)
3.8	Are you satisfied by the outcome? In your opinion, was the solution effective (short- or long-term solution)?
3.9	Have you or anyone you know been affected by the project? If yes, how have you or the person affected been assured their complaints are being addressed?
3.10	Is there a mechanism for women and particularly female heads of households, widows, and divorcées; youth (18–24); elderly (people) and retired; low-income households; and people with physical/mental health and disability, and is it considered by relevant groups?
3.11	Have Community Complaint Centers been established and located near most routes of the construction, with appropriate signs and an established telephone number or other communication channel attached?
3.12	Do you think the Community Complaint Centers are at appropriate locations to accommodate women and particularly female heads of households, widows, and divorcées; youth (18–24); elderly (people) and

No.	Question
	retired; low-income households; and people with physical/mental health and disability such as near schools, hospitals, etc.?
3.13	Do you feel the Community Complaint Centers are accessible to you? If not, why? How can the project help in the matter?
3.14	Do you feel women are able to voice their concerns as equally as men? If not, why? How can the project help in the matter?
3.15	Is the system for accepting complaints anonymized?
3.16	Who is the key contact for businesses to submit complaints? What is their position in the community? Do you know their relationship to the project?
3.17	Is the GM clearly stated and explained? To your understanding, what kind of cases can be reported under the project's GM? Are GBV, sexual harassment, trafficking cases included? Who are the responsible parties for the monitoring and resolution of complaints under the GM?
3.18	Is the GM explained in terms that could be understood by everyone including women and particularly female heads of households, widows, and divorcées; youth (18-24); elderly (people) and retired; low-income households; and people with physical/mental health and disability?
3.19	Do you know if the GM has been explained to everyone in the community including women and particularly female heads of households, widows, and divorcées; youth (18-24); elderly (people) and retired; low-income households; and people with physical/mental health and disability?
3.20	Have there been any protests or demonstrations due to concerns about the project? If so, when did they occur? Who was involved? What were the reasons? Was any action taken by the authorities to respond to these grievances?

**Objective 4: Impacts from accelerated crime such as transnational organized crime in the form of human, drug and/or wildlife trafficking affecting women and other possible vulnerable groups**

No.	Question
4.1	Do you have any concerns related to violence regarding the workers who were recruited to construct the project? Do you think it will impact your livelihood negatively or positively? Why?
4.2	Do you have any concerns related to the project impacting you or your business once it becomes operational? **Researcher to provide examples of positive and negative impacts from the HSR becoming operational
4.3	Are you familiar with the reporting procedures/protocols? Is it part of local laws/regulations and/or project mechanism?
4.4	If reported, do you feel safe reporting these cases? Do you think others feel safe reporting these?
4.5	Have you heard of / experienced any cases of GBV which could be related to the project? If yes, what was the case? Who were the victims? Who were the perpetrators? How were the cases addressed/resolved? What do you think is causing the incident?
4.6	Is there a complaints mechanism in place for reporting violence (GBV)? How are the local laws and regulations being implemented/reinforced to address GBV cases?
4.7	Have you experienced or noticed increased violence in the community since the project started? What about in your household?
4.8	Do you have any other concerns regarding the workers who were recruited to construct the project?
4.9	Do you feel safe in your community with workers for the construction of the project being around for extended periods of time?
4.10	Do you know what to do if you experience or if you witness violence in your community as a result of the project?
4.11	Do you have any concerns about the children, youth, or the women in your community in terms of being exposed to crime as a result of the HSR?
4.12	Do you have any concerns that the HSR will make children, youth, or women more susceptible to human trafficking?
4.13	Do you have any concerns that your community will become a hub for trafficking (drugs, humans, or wildlife)? Why?
4.14	Do you have any concerns about the HSR bringing crime into your community? If yes, what kind of crime (i.e., human trafficking, wildlife trafficking)? Why?
4.15	Do you have any concerns about the amount of people that will be crossing through your community when the HSR becomes operational?

<b>No.</b>	<b>Question</b>
4.16	Do you have any other concerns?

## B.2 Questionnaire for Local Authorities

QID001: Interviewer: \_\_\_\_\_

QID002: Date of Interview: \_\_\_\_/\_\_\_\_/2023

Start Time: \_\_\_\_\_ End Time: \_\_\_\_\_

Location of the interview: \_\_\_\_\_

### A. General Information

No.	Question	Answer
0.1	Respondent's Name	
0.2	Phone Number	
0.3	Respondent's Position	
0.4	Respondent's Position in Relation to the Project	
0.5	Respondent's Gender	
0.6	Interview Period	

### Objective 1: To understand the impacts on land and livelihoods

No.	Question	Answer	Skip
1.1	Which government authority is responsible for resettlement? Can the local community easily reach out to them?		
1.2	Before beginning the project, is a resettlement eviction impact assessment conducted or taken into consideration?	1. Yes 2. No	
1.3	Was any form of resettlement undertaken prior to construction starting?	1. Yes 2. No	If no, skip to next objective.
1.4	What notice periods were given for resettlement and compensations?	1. 30 Days 2. 60 Days 3. 90 Days 4. Other: _____	
1.5	Is the same notice period given for everyone affected, i.e., women and particularly female heads of households, widows, and divorcées; elderly (people) and retired; low-income households; and people with physical/mental health and disability?	1. Yes 2. No	
1.6	If there was any form of resettlement, was the compensation in the form of money or alternative land? Money (go to questions 1.7 to 1.9) Alternative Land (go to questions 1.10 and 1.11)	1. Money: _____ THB 2. Alternative land: _____ hectares 3. Both: ____ THB; _____ hectares	
1.7	If there was any form of resettlement, was compensation paid at the market rate, including taxes for the new land? Was any other approach used to calculate/benchmark the compensation?	1. Yes 2. No	
1.8	If there was any form of resettlement, was compensation paid for the cost of deconstruction, and all costs related to replace establishment, i.e., architecture cost, construction workers cost, taxes, insurance, licenses, and tree planting?	1. Yes 2. No	
1.9	If there was any form of agriculture harvesting or farm land disrupted, did the compensation also cover the expected profit and the losses from stopping a business?	1. Yes 2. No	
1.10	If there was any form of resettlement, was the alternative land provided considered the access to basic infrastructure and cultural aspects?	1. Yes 2. No	
1.11	Do the community members have land ownership security of the alternate land?	1. Yes 2. No	
1.12	Are you aware of any businesses that were evicted/relocated?	1. Yes 2. No	If no, skip to 1.15.
1.13	Were any of them women-led/-owned businesses? Were there any businesses owned/run by other vulnerable groups?		

No.	Question	Answer	Skip
1.14	Was compensation paid for any businesses which were impacted due to resettlement?	1. Yes 2. No	
1.15	Did resettlement impact on the ability of any community members to earn a livelihood?	1. Yes 2. No	
1.16	Were women and particularly female heads of households, widows, and divorcées; elderly (people) and retired; low-income households; and people with physical/mental health and disability disproportionately affected?	1. Yes 2. No	
1.17	If there was any form of resettlement, was equal compensation paid to women and men?	1. Yes 2. No	If no, skip to 1.19.
1.18	How much? (Let's not ask details on amount of compensation and focus on the process.)		
1.19	If no, why do you think this is the case?		Skip if you answered yes to 1.17 above.
1.20	If there was any form of resettlement, were there any factors applied to account for vulnerabilities (i.e., women and particularly female heads of households, widows, and divorcées; elderly (people) and retired; low-income households; and people with physical/mental health and disability)?		
1.21	Was there any case of compensation dispute?	1. Yes 2. No	If no, skip to 1.23.
1.22	If there was a dispute, what was it caused by?		
1.23	Is there any mechanism to dispute the compensation offered?	1. Yes 2. No	If no, skip to 1.25.
1.24	If yes, what are they? If no, why not?		
1.25	Do you feel that women and particularly female heads of households, widows, and divorcées; elderly (people) and retired; low-income households; and people with physical/mental health and disability are able to access these mechanisms?	1. Yes 2. No	

**Objective 2: To understand the impacts on community health and safety**

No.	Question	Answer	Skip
2.1	Has there been an increase in noise, traffic, and/or pollution in the area?	1. Yes 2. No	If no, skip to 2.4.
2.2	If yes, were community members informed about these ahead of time? Was there any specific mechanism to inform women and other vulnerable groups?	1. Yes 2. No	
2.3	If yes, was any support provided to community members in managing this change? Was there any specific support provided for women and other vulnerable groups?	1. Yes 2. No	
2.4	Did the setup of the temporary fencing impact community members? Was there any specific impact to women and other vulnerable groups (e.g., GBV, mobility, injuries)?	1. Yes 2. No	If no, skip to 2.7.
2.5	If yes, how so?		
2.6	Did the project make provisions to accommodate any inconvenience caused by the fencing? Was there specific provision to address the impacts to women and other vulnerable groups?	1. Yes 2. No	If no, skip to 2.8.
2.7	If yes, what provisions?		
2.8	Were you consulted regarding the fencing and other adverse impacts the project would have?	1. Yes 2. No	
2.9	Was there any rock blasting conducted in the area?	1. Yes 2. No	If no, skip to 2.11.

No.	Question	Answer	Skip
2.10	If yes, were you informed about the rock blasting (vibration impacts) in advance?	1. Yes 2. No	
2.11	Were you informed about the designated hours for noisy activity?	1. Yes 2. No	
2.12	What is the government's role in ensuring the project does not adversely impact on the health and safety of community members? Do you have to coordinate with other government agencies to address impacts raised?		
2.13	Are there any other impacts which you think are caused by the project activities?	1. Yes 2. No	If no, skip to next objective.
2.14	If yes, please explain.		

**Objective 3: To understand the existing grievance mechanism in place and its effectiveness**

No.	Question	Answer	Skip
3.1	How often does the organization engage with the project representative per year?	1. Annually 2. Biannually 3. Quarterly 4. Every month 5. Multiple times per month	
3.2	What is the main communication tool with the project? Has there been consideration to create communication tools that are safe and accessible for women, people with disabilities, youth, poor households, and other vulnerable groups? Who can report?	1. Official letters 2. Communication apps 3. Meetings 4. Email 5. Others	
3.3	Are there any GMs put in place by the government?	1. Yes 2. No	
3.4	Are you involved with the decisions being made with the project?	1. Yes 2. No	If no, skip to 3.6.
3.5	If yes, what is your role?		
3.6	What is the breakdown of responsibilities for each government authority (i.e., municipal, provincial, etc.)? Do you have to coordinate with other government agencies in handling sensitive complaints?		
3.7	Are you only able to provide inputs on what happens in your jurisdiction or can you provide inputs on other jurisdictions if it affects your jurisdiction?	1. Only my jurisdiction 2. Can provide inputs on other jurisdictions	If "Only my jurisdiction," skip to 3.9.
3.8	If you can provide inputs to other jurisdictions, what kind of matters are you consulted on?		
3.9	What level of action can the government take in response to complaints against the project?		
3.10	Do you know if the project has put in place any methods for community members to submit complaints?	1. Yes 2. No	If no, skip to 3.14.
3.11	If yes, are there any follow-up measures taken or assistance provided to the complaints received by community members, particularly sensitive complaints such as gender-based violence, sexual harassment, trafficking, fraud, etc.? How do you follow up GBV SEAH and trafficking cases?	1. Follow-up mechanisms in place 2. New complaints need to be filed	
3.12	Do you feel that all members of society (women and particularly female heads of households, widows, and divorcées; youth (18–24); elderly (people) and retired; low-income households; and people with physical/mental health and disability) can access the GM/complaints mechanism?	1. Yes 2. No	If yes, skip to 3.14.
3.13	If no, why not?		

No.	Question	Answer	Skip
3.14	Are you aware of any complaints related to the project which have been submitted?	1. Yes 2. No	If no, skip to 3.16.
3.15	How has the complaint been received and addressed by the project owner?		
3.16	Have you or anyone you know been affected by the project?	1. Yes 2. No	If no, skip to 3.18.
3.17	If yes, please explain.		
3.18	Do you have any concerns related to the project?	1. Yes 2. No	If no, skip to 3.20.
3.19	If yes, please explain.		
3.20	Have Community Complaint Centers been established and located near most routes of the construction, with appropriate signs and an established telephone number attached?	1. Yes 2. No	
3.21	Are the Community Complaint Centers at appropriate locations to accommodate women and particularly female heads of households, widows, and divorcées; youth (18–24); elderly (people) and retired; low-income households; and people with physical/mental health and disability to voice their concerns?	1. Yes 2. No	
3.22	Do you feel the Community Complaint Centers are accessible to all community members?	1. Yes 2. No	
3.23	Do you know if the GM has been explained to everyone in the community including women; youth (18–24); elderly (people) and retired; low-income households; and people with physical/mental health and disability?	1. Yes 2. No	
3.24	Have you received any instructions or information on how members of the community can file complaints?	1. Yes 2. No	
3.25	Is the GM clearly stated and explained?	1. Yes 2. No	
3.26	Do you feel women are able to voice their concerns as equally as men? What about other vulnerable groups (e.g., people with disabilities, elderly, poor households, young people)?	1. Yes 2. No	
3.27	Is more than one method for submission of complaints provided (i.e., online; written; orally)?	Select all that apply: 1. Online 2. Written 3. Verbal 4. Other _____	
3.28	Can complaints be submitted in different languages or only in Thai?	1. Thai Only 2. Other Languages: _____ 3. Both Thai and Other Languages: _____	
3.29	Is the system for accepting complaints anonymized?	1. Yes 2. No	
3.30	To your understanding, what kind of cases can be reported under the project's GM? GBV SEAH included?		
3.31	Who are the responsible parties for the monitoring and resolution of complaints under the GM?		
3.32	Do you have any recommendations on how the project can improve on its GM processes?		
3.33	How many cases have been reported/coordinated to date?		
3.34	How many are resolved, pending, ongoing?		

**Objective 4: Impacts from accelerated crime such as transnational organized crime in the form of human, drug and/or wildlife trafficking affecting women and other possible vulnerable groups**

No.	Question	Answer	Skip
4.1	Are you familiar with the reporting procedures/protocols for transnational crime?	1. Yes 2. No	
4.2	Do you know if it is part of local laws/regulations and/or project mechanism?		
4.3	Which government authority is responsible for transnational organized crime? Can the local community easily reach out to them?		
4.4	Do you have any concerns about the HSR bringing crime which will affect your jurisdiction?	1. Yes 2. No	If no, skip to 4.8.
4.5	If yes, what kind of crime (i.e., human trafficking, wildlife trafficking)? May we know the prevalence?		
4.6	Do you have any concerns that your jurisdiction could become a hub for trafficking (drugs, humans, or wildlife)?	1. Yes 2. No	If no, skip to 4.8.
4.7	If yes, what kind of crime and why?		
4.8	Do you have any concerns about the amount of people that will be crossing through your community when the HSR becomes operational?	1. Yes 2. No	If no, skip to 4.10.
4.9	If yes, why?		
4.10	Have you experienced or noticed increased violence in the community since the project started?	1. Yes 2. No	
4.11	Do you have any concerns regarding the workers who were recruited to construct the project?	1. Yes 2. No	If no, skip to 4.13.
4.12	If yes, what are they?		
4.13	Do you have any other concerns?		

### B.3 Questionnaire for Local Business and Entrepreneurs

Date of Interview: \_\_\_\_/\_\_\_\_/2023                      Start Time: \_\_\_\_\_      End Time: \_\_\_\_\_

Location of the interview: \_\_\_\_\_ Number of participants: \_\_\_\_ M: \_\_\_\_ F: \_\_\_\_

**Objective 1: To understand the impacts on land and livelihoods**

No.	Question
1.1	Do you know about the project and its activity in the area?
1.2	How do you know about the project? (community town hall, pamphlet, family member and friends)
1.3	Have you been informed about the resettlement plan and process from the project? **If no, interviewer to explain the terms
1.4	Which communication methods were used by the project for the resettlement plan? And how long in advance?
1.5	Was the resettlement plan and process engagement conducted in a meaningful way? (covering the positive and negative impacts)
1.6	Was the engagement open for opinions before finalization of the resettlement plan? And how long in advance?
1.7	Was any form of resettlement undertaken prior to construction starting? Has your business been involved in the resettlement process? (skip to 1.27 if no)
1.8	What notice periods are you given for resettlement and compensations?
1.9	Is the same notice period given for everyone affected, i.e., women and particularly female heads of households, widows, and divorcées; elderly (people) and retired; low-income households; and people with physical/mental health and disability?
1.10	If there was any form of resettlement, was it in the form of compensation paid or alternative land provided? Compensation (go to questions 1.11 to 1.13) Alternative Land (go to questions 1.14 to 1.15)
1.11	Was compensation paid at the market rate, including taxes for the new land?
1.12	If there was any form of resettlement, was compensation paid for the cost of deconstruction, and all costs related to replace establishment, i.e., architecture cost, construction workers cost, taxes, insurance, licenses, and tree planting?
1.13	If there was any form of agriculture harvesting or farm land disrupted, did the compensation also cover the expected profit and the losses from stopping a business?
1.14	If there was any form of resettlement, was the alternative land provided considered the access to basic infrastructure and cultural aspects?
1.15	Do business owners have land ownership security of the alternate land?
1.16	Was your business evicted/relocated? Are you aware of any businesses that were evicted/relocated?
1.17	Were any of them women-led or women-owned businesses?
1.18	Was compensation paid for any businesses which were impacted due to resettlement?
1.19	Did resettlement impact on the ability of any community members to earn a livelihood?
1.20	Were women-owned/-run businesses disproportionately affected compared to men-owned/-run businesses? What about businesses owned by elderly (people) and retired people, people with disabilities or minority groups?
1.21	If there was any form of resettlement, was equal compensation paid for women-owned businesses versus men-owned businesses? How much? If no, why do you think this is the case?
1.22	If there was any form of resettlement, were there any factors applied to account for vulnerabilities (i.e., women and particularly female heads of households, widows, and divorcées; elderly (people) and retired; low-income households; and people with physical/mental health and disability)?
1.23	Was there any case of compensation dispute? What was the dispute caused by?
1.24	Is there any mechanism to dispute the compensation offered?
1.25	If yes, what are they? If no, why not?

No.	Question
1.26	Do you feel that women and particularly female heads of households, widows, and divorcées; elderly (people) and retired; low-income households; and people with physical/mental health and disability are able to access these mechanisms?
1.27	Have you had to take out debt because of any project-related impacts, i.e., eviction/resettlement? If yes, for what reason? Who did you take the loan from? How much is the loan?

**Objective 2: To understand the impacts on community health and safety**

No.	Question
2.1	Has there been an increase in noise, traffic, and/or pollution in the area?
2.2	Were you informed about project activities causing these issues ahead of time? If yes, did you receive any support, from project owners or local authorities, in managing this change?
2.3	Were you impacted from the setup of the temporary fencing? How?
2.4	Did the project make provisions to accommodate any inconvenience caused by the fencing? If yes, what provisions?
2.5	Were you consulted regarding the fencing and other adverse impacts the project would have on your business?
2.6	Was there any rock blasting conducted in the area? Were you informed about the rock blasting (vibration impact)? How many days in advance?
2.7	A designated route is to be made for the trucks—will the truck route impact your business? Were you impacted by the project logistic trucks? How?
2.8	Is your business affected by the construction noise? Are you aware that there are designated hours for noisy activity?
2.9	How is the information on hours for noisy activities or other project information disseminated?
2.10	In the case that noisy activities continue outside of the working hours, are you provided with any notice?
2.11	Is there any mental health support from the impact caused by the project? If yes, what is the support?
2.12	Are there any other impacts which you think are caused by the project activities? How so?

**Objective 3: To understand the existing grievance mechanism in place and its effectiveness**

No.	Question
3.1	What are the methods to complain? Do you know if there are follow-up mechanisms if complaints are not addressed, or do new complaints need to be filed? What are the follow-up measures taken to the complaints received by local businesses?
3.2	Is more than one method for submission of complaints provided (i.e., online, written, orally)? Can complaints be submitted in different languages or only in Thai?
3.3	Have you been informed on or received any guidance on how to submit complaints?
3.4	Do you feel that all members of society with a business (women and particularly female heads of households, widows, and divorcées; youth (18–24); elderly (people) and retired; low-income households; and people with physical/mental health and disability) can access the GM/complaints mechanism?
3.5	Have you ever filed a complaint related to the project affecting your business?
3.6	If you needed to submit a complaint, would you feel comfortable doing so without feeling scared of repercussions?
3.7	How has your complaint been received and addressed by the project owner? (Skip if you answered no to 3.6)
3.8	Are you satisfied by the outcome? In your opinion, was the solution effective (short- or long-term solution)?

No.	Question
3.9	Has anyone you know been affected by the project? If yes, how has the person affected been assured their complaints are being addressed?
3.10	Is there a mechanism for women-led/-owned businesses to voice their concerns, and is it considered by relevant groups?
3.11	Have Community Complaint Centers been established and located near most routes of the construction, with appropriate signs and an established telephone number or other communication channel attached?
3.12	Do you think the Community Complaint Centers are at appropriate locations to accommodate women and particularly female heads of households, widows, and divorcées; youth (18–24); elderly (people) and retired; low-income households; and people with physical/mental health and disability such as near schools, hospitals, etc.?
3.13	Do you feel the Community Complaint Centers are accessible to you? If not, why? And how can the project help in the matter?
3.14	Do you feel women are able to voice their concerns as equally as men? If not, why? and how can the project help in the matter?
3.15	Is the system for accepting complaints anonymized?
3.16	Who is the key contact for businesses to submit complaints? What is their position in the community? Do you know their relationship to the project?
3.17	Is the GM clearly stated and explained? To your understanding, what kind of cases can be reported under the project's GM? Who are the responsible parties for the monitoring and resolution of complaints under the GM?
3.18	Is the GM explained in terms that could be understood by everyone including women; youth (18–24); elderly (people) and retired; low-income households; and people with physical/mental health and disability?
3.19	Do you know if the GM has been explained to everyone in the community including women; youth (18–24); elderly (people) and retired; low-income households; and people with physical/mental health and disability?
3.20	Have there been any protests or demonstrations by businesses due to concerns about the project? If so, when did they occur? Who was involved? What were the reasons? Was any action taken by the authorities to respond to these grievances?

**Objective 4: Impacts from accelerated crime such as transnational organized crime in the form of human, drug and/or wildlife trafficking affecting women and other possible vulnerable groups**

No.	Question
4.1	Do you have any concerns regarding the construction phase of the project affecting your business? Do you think it will impact your business negatively or positively? Why? (i.e., the infrastructure from the project blocking your way to get to your business)
4.2	Do you have any concerns related to the project impacting your business once it becomes operational? **Researcher to provide examples of positive and negative impacts from the HSR becoming operational
4.3	Are you familiar with the reporting procedures/protocols? Is it part of local laws/regulations and/or project mechanism?
4.4	Do you feel safe reporting cases? Do you think others feel safe reporting cases?
4.5	Have you experienced or noticed increased violence in the community since the project started? Has this affected your business?
4.6	Do you feel safe in your community with workers for the construction of the project being around for extended periods of time? Do you have any safety concerns in continuing your business as a result of the project?
4.7	Do you have any concerns that your community will become a hub for trafficking (drugs, humans, or wildlife)? Why?
4.8	Do you have any concerns about the HSR bringing crime which will affect your business? If yes, what kind of crime (i.e., human trafficking, wildlife trafficking, GBV)?
4.9	Do you have any concerns about the amount of people that will be crossing through your community when the HSR becomes operational? Do you think it will impact your business negatively or positively? Why?

<b>No.</b>	<b>Question</b>
4.10	Do you have any other concerns?

## B.4 Questionnaire for Project Representatives

QID001: Interviewer: \_\_\_\_\_

QID002: Date of Interview: \_\_\_\_/\_\_\_\_/2023

Start Time: \_\_\_\_\_ End Time: \_\_\_\_\_

Location of the interview: \_\_\_\_\_

### A. General Information

No.	Question	Answer
0.1	Respondent's Name	
0.2	Phone Number	
0.3	Respondent's Position in Relation to the Project	
0.4	Respondent's Gender	
0.5	Interview Period	

### Objective 1: To understand the impacts on land and livelihoods

No.	Question	Answer	Skip
1.1	Are you involved in the resettlement process for affected communities?	1. Yes 2. No	If no, skip to 1.3.
1.2	If yes, what is your level of involvement?		
1.3	Is there a Resettlement Action Plan (RAP) in place?	1. Yes 2. No	If no, skip to 1.12.
1.4	If yes, can we have a copy?	1. Yes 2. No	
1.5	If yes, who drafted the RAP?	1. The company 2. Third party: _____	
1.6	Has the RAP been posted publicly?	1. Yes 2. No	If no, skip to 1.8.
1.7	If yes, where has it been published and for how long?		
1.8	Which communication methods were used by the project to disseminate information on the RAP?		
2.9	Please describe the process which was used to create the RAP.		
1.10	Was stakeholder engagement conducted during the RAP process?	1. Yes 2. No	If no, skip to 1.12.
1.11	If yes, who was consulted in drafting the RAP? Were women and other vulnerable groups involved?		
1.12	Has any resettlement occurred as a result of the project?	1. Yes 2. No	If no, skip to next objective.
1.13	If yes, what type of resettlement occurred?	1. Physical Displacement 2. Economic Displacement 3. Both	If Physical Displacement, skip to 1.17.
1.14	If there was economic displacement, what and who was impacted?	1. Agricultural land 2. Business 3. Other: _____	
1.15	Did the resettlement process affect the ability of any community members to earn a livelihood?	1. Yes 2. No	If no, skip to 1.17.
1.16	If yes, is there any process you follow to remedy this?	1. Yes 2. No	

No.	Question	Answer	Skip
1.17	If there was economic displacement, was compensation paid for livelihoods which were impacted due to the displacement?	1. Yes 2. No	If yes, skip to 1.19.
1.18	If no, why not?		
1.19	If yes, what are the criteria? How much compensation was offered?		
1.20	If there was economic displacement, did the compensation also cover the expected profit and the losses from stopping a business?	1. Yes 2. No	
1.21	If there was any form of resettlement, was compensation provided at the market rate, including taxes for the new land?	1. Yes 2. No	If yes, skip to 1.23.
1.22	If no, why not?		
1.23	What form of compensation was provided?	1. Financial 2. Assets 3. Land 4. Other: _____	
1.24	Please describe the type of compensation provided (i.e., if money: how much; if land: how many hectares, etc.) and what criteria?		
1.25	If there was any form of resettlement, was compensation paid for the cost of deconstruction, and all costs related to replace establishment, i.e., architecture cost, construction workers cost, taxes, insurance, licenses, and tree planting?	1. Yes 2. No	If yes, skip to 1.27.
1.26	If no, why not?		
1.27	Is there a process in place for resettlement of affected people/communities?	1. Yes 2. No	If no, skip to 1.29.
1.28	If yes, what is it?		
1.29	If there was any form of resettlement, was equal compensation paid to women and men?	1. Yes 2. No	If yes, skip to 1.31.
1.30	If no, what was the difference and why do you think this is the case?		
1.31	If there was any form of resettlement, were there any factors applied to account for vulnerabilities (i.e., women and particularly female heads of households, widows, and divorcées; elderly (people) and retired; low-income households; and people with physical/mental health and disability)?	1. Yes 2. No	
1.32	Is there any mechanism to dispute the compensation offered?	1. Yes 2. No	If no, skip to 1.35.
1.33	What is the mechanism to dispute the compensation?		
1.34	If yes, are women and particularly female heads of households, widows, and divorcées; elderly (people) and retired; low-income households; and people with physical/mental health and disability able to access these mechanisms?	1. Yes 2. No	
1.35	What notice period was provided for resettlement and compensation?	1. 30 Days 2. 60 Days 3. 90 Days 4. Other: _____ Days	
1.36	Is the same notice period given for everyone affected, i.e., women and particularly female heads of households, widows, and divorcées; elderly (people) and retired; low-income households; and people with physical/mental health and disability?	1. Yes 2. No	If yes, skip to next objective.
1.37	If no, why not?		

**Objective 2: To understand the impacts on community health and safety**

No.	Question	Answer	Skip
2.1	Do you have any safeguard policies related to community health and safety?	1. Yes 2. No	If no, skip to 2.4.
2.2	If yes, can we have copies of each policy?		

No.	Question	Answer	Skip
2.3	Is there any specific policy for women and other vulnerable groups?		
2.4	Specific project activities could pose risks to the mental health of community members (i.e., trauma, fears, etc.). Does the project provide any mental health support to the community members?	1. Yes 2. No	If no, skip to 2.6.
2.5	Is there any specific support rendered to women and other vulnerable groups?		
2.6	Were community members informed about noise, traffic, and pollution ahead of construction time? For how long? Was a specific strategy deployed to inform women and other vulnerable groups?		
2.7	Was any support provided to community members in managing this change?	1. Yes 2. No	
2.8	Was there any specific support rendered to women and other vulnerable groups?	1. Yes 2. No	
2.9	If air pollution cannot be remedied as easily in certain areas, are alternative provisions given to communities to adjust during the construction phase (i.e., watering of roads in high traffic areas, access to masks at stores, etc.)?	1. Yes 2. No	If no, skip to 2.12.
2.10	If yes, what types of alternative provisions were provided?		
2.11	Was there any specific adjustment made to accommodate the needs of women and other vulnerable groups (e.g., providing masks with different sizes)?		
2.12	Was there any temporary fencing put up?	1. Yes 2. No	If no, skip to 2.21.
2.13	What is the primary purpose of the temporary fencing?		
2.14	Who did the project consult regarding the fencing and its perimeters for installation?		
2.15	What considerations for the people in the residential buildings and community areas were taken when installing the fence, and how is it maintained through the construction?		
2.16	Were separate consultations with women and other vulnerable groups conducted?	1. Yes 2. No	
2.17	Do you think the setup of the temporary fencing impacted community members?	1. Yes 2. No	If no, skip to 2.19.
2.18	If yes, in which ways?		
2.19	Did the project make provisions to accommodate any inconvenience caused by the fencing?	1. Yes 2. No	If no, skip to 2.21.
2.20	If yes, which provisions were made?		
2.21	Did you conduct any rock blasting in the past year?	1. Yes 2. No	If no, skip to 2.27.
2.22	If yes, what procedures did the company follow for informing community members about the activity?		
2.23	What is the radius of impact where the public is to be informed about rock blasting?	1. Yes 2. No	
2.24	Are all communities within the rock-blasting radius included in the communication/prior informed notice?	1. Yes 2. No	

No.	Question	Answer	Skip
2.25	Did the community members receive any training/awareness on understanding and managing the concept of rock blasting in the area?	1. Yes 2. No	
2.26	Was there any specific session for women and other vulnerable groups?	1. Yes 2. No	
2.27	Do any of your trucking routes impact community members?	1. Yes 2. No	If no, skip to 2.31.
2.28	If yes, what measures do you take to prevent this impact?		
2.29	Was signage and warning put up on traffic times/periods for trucks operating on this route?	1. Yes 2. No	
2.30	How many days of notice were provided for the following? 1. Noise: _____Days 2. Rock blasting: _____Days 3. Traffic times/periods: _____Days		
2.31	Do you work with the local authorities to ensure health & safety measures are being followed?	1. Yes 2. No	If no, skip to end.
2.32	If yes, which authorities?		
2.33	If yes, how do you work with them?		

**Objective 3: To understand the existing grievance mechanism in place and its effectiveness**

No.	Question	Answer	Skip
3.1	Are you involved with the decisions being made for the project?	1. Yes 2. No	If no, skip to 3.3.
3.2	If yes, what is your role?		
3.3	Are there any GMs put in place by the project?	1. Yes 2. No	If no, skip to 3.12.
3.4	What guidelines do you follow for handling grievances/complaints from the public?		
3.5	Do you have your own safeguarding policies and practices?	1. Yes 2. No	If no, skip to 3.7.
3.6	If yes, can you share a copy of it with us?	1. Yes 2. No	
3.7	What is the standard procedure you follow in responding to complaints/grievances?		
3.8	To your understanding, what kind of cases can be reported under the project's GM? GBV SEAH included?		
3.9	Are there any follow-up mechanisms, if complaints are not addressed, or do new complaints need to be filed?	1. Yes 2. No	If no, skip to 3.11.
3.10	If yes, can you describe the follow-up measures taken to the complaints received by community members? Is there any specific follow-up with local law reinforcement on GBV SEAH cases? How have GBV SEAH cases typically been resolved?		
3.11	How many designated persons do you have to handle grievances? Is there any specific officer to handle GESI complaints/issues?		
3.12	How many complaints have been logged to date? How many cases have been recorded, resolved and/or pending?		
3.13	Do you communicate with the other companies contracted to construct the project?	1. Yes 2. No	If no, skip to 3.16.
3.14	If yes, do you discuss mitigation measures for grievances/complaints?	1. Yes 2. No	
3.15	If yes, what types of topics do you engage in?		

No.	Question	Answer	Skip
3.16	What level of action does the company take in response to complaints against the project?		
3.17	What level of action does the company take in response to complaints against the company?		
3.18	What level of action does the company take in response to complaints against employees/workers?		
3.19	Do all members of society (women and particularly female heads of households, widows, and divorcées; youth (18–24); elderly (people) and retired; low-income households; and people with physical/mental health and disability) have the ability to access the GM/complaints mechanism?	1. Yes 2. No	
3.20	Is the GM explained in terms that could be understood by everyone including women; youth (18–24); elderly (people) and retired; low-income households; and people with physical/mental health and disability? (to also consider language use)	1. Yes 2. No	
3.21	Are you responsible for disseminating information on the GM or has a third party been consulted for that? If it's a third party, please provide their name: _____		
3.22	Are you aware of any complaints related to the project which have been submitted?	1. Yes 2. No	If no, skip to 3.26.
3.23	If yes, what were the nature of the complaints?		
3.24	If yes, how were the complaints handled?		
3.25	If yes, have the complaints been resolved?		
3.26	Do you engage with the Community Complaint Centers?	1. Yes 2. No	If no, skip to 3.28.
3.27	If yes, to what extent?		
3.28	Is more than one method for submission of complaints provided (i.e., online; written; verbal)?	Select all that apply: 1. Online 2. Written 3. Verbal 4. Other: _____	
3.29	Can complaints be submitted in different languages or only in Thai?	Select all that apply: 1. Thai 2. Other languages: _____ 3. Both Thai and other language: _____	
3.30	Is the system for accepting complaints anonymized?	1. Yes 2. No	
3.31	What challenges do you face in addressing complaints from the public?		
3.32	What are the challenges in finding solutions to the above-mentioned challenges?		
3.33	Do you have any recommendations on how the project can improve on its GM processes?	1. Yes 2. No	If no, skip to 3.35.
3.34	If yes, how so?		
3.35	Have women and vulnerable groups been adequately included in the project consultations?	1. Yes 2. No	If yes, skip to next objective.
3.36	Were women's representations made by women from a diverse range of ethnic groups?		

**Objective 4: Impacts from accelerated crime such as transnational organized crime in the form of human, drug and/or wildlife trafficking affecting women and other possible vulnerable groups**

No.	Question	Answer	Skip
4.1	Do you have any policies related to Code of Conduct of employees, Occupational Health and Safety, Human Rights, Supply Chain Management, Human Resources?	1. Yes 2. No	If no, skip to 4.4.
4.2	If yes, what policies do you have in place?		
4.3	If yes, can we have copies?		
4.4	Do you provide trainings to workers recruited for the project?	1. Yes 2. No	If no, skip to 4.6.
4.5	If yes, what are they? GESI trainings included (e.g., sexual harassment, safe and accessible workplace)?		
4.6	Where are the workers hired for the construction of the project from? How many are female and male? What are the typical positions for female and male workers? Is there any worker with disabilities? What are their tasks and responsibilities?		
4.7	What are the hiring criteria? Are you proactively hiring women and people with disabilities?		
4.8	Does the contract of migrant workers cover the family?	1. Yes 2. No	If no, skip to 4.10.
4.9	If yes, what are the benefits for the family? (e.g., attending school)		
4.10	How do you manage migrant workers' companions? (to ensure that the companions will not participate in the workers' tasks, e.g., child worker)		
4.11	What is the training covered for the migrant workers (does it include language and cultural-related training)?		
4.12	Is there any cultural training for the local community on cultural diversity?	1. Yes 2. No	
4.13	Have there been any incidents of conflict between the workers and the local community?	1. Yes 2. No	If no, skip to 4.15.
4.14	If yes, briefly describe what happened, and how was the situation solved?		
4.15	Are you aware of Thai and international laws/regulations around transnational organized crime?	1. Yes 2. No	
4.16	Are your workers aware of these laws/regulations?	1. Yes 2. No	
4.17	Are the workers housed in temporary accommodation for the duration of the construction?	1. Yes 2. No	
4.18	What is the maximum number of workers that will be recruited / have been recruited? How many female and male?		

## Annex C: Additional Information

### C.1 Analysis of EIA Monitoring Reports

Table C.1: Findings and/or issues reported from the EIA monitoring reports.

Findings and/or Issues Reported	Citation	Analysis
Air quality of the stripping areas, or construction areas close to communities, that require spraying of water at least three times a day is <b>insufficient to control the spread of dust</b> . The criteria for not disturbing nearby communities is not being fully met by minimizing dust and debris spread.	Executive Summary, 2021–2022 <i>Monitoring Reports</i>	Work is being done in line with Indicator 4.5 (as listed below). <ul style="list-style-type: none"> <li>How are the complaints being received and addressed by the project owner?</li> <li>How are the affected communities assured that their complaints are being addressed? Are there follow-up mechanisms, if not addressed, or do new complaints need to be filed?</li> </ul>
Additional measures have been added to the EIA monitoring criteria, after the amendment. These include (among others not listed here) <b>community engagement and measures for community health and safety</b> .	Ibid.	Until the amendment is approved, cannot identify gaps or information relative to these criteria. There is no indication of what metrics are used in these criteria.
Grievance and complaints received from the Jan–Jun 2022 monitoring period showed a total of 43 complaints from the community. Most of these complaints were a result of project activities— <b>air quality, noise and disturbance, and waste</b> . It was reported that 97.7 percent of these complaints were resolved within 30 days, and only 2.3 percent resolved in more than 30 days.	Ibid.	Through <b>all monitoring reports</b> , air quality, noise and disturbance, and waste are the top three most reported complaints by community members. The fact that it is still showing in 2022 is indicative of some gaps in the resolution process by the project owner. <ul style="list-style-type: none"> <li>There is only mention of the complaints “being resolved,” but what are the measures being taken to support communities after the resolution?</li> <li>If air pollution cannot be remedied as easily in certain areas, are alternative provisions given to communities to adjust during the construction phase (i.e., watering of roads in high traffic areas, access to masks at stores, etc.)?</li> </ul> <p>Surveys in the previous years from different sections of the HSR construction route also reported majority complaints in these areas.</p>
<ol style="list-style-type: none"> <li>Through the city of Saraburi, the new railway line will run parallel to the old line to <b>avoid any impact</b> on the Railway Market Community.</li> <li>In Sikhio and Sung Noen, the railway has been elevated in community areas to <b>avoid impacts</b> on agriculture.</li> </ol>	Section 1.2 of the Project Brief, <i>May–Jun 2019</i>	Considering these measures were put in place in 2019, it must be understood what is meant to avoid <b>any impact</b> . No details were provided in the monitoring period of what levels of impact could be anticipated, and safeguard measures could be in place for these. <ul style="list-style-type: none"> <li>Has the Railway Market Community been affected in any way over the past three years? If so, are there any complaint mechanisms in place for the community to voice their perception of the railway?</li> <li>If there has been an increase in noise, traffic, and/or pollution, was the community informed about these ahead of time? Did they receive any support, from project owners or local authorities, in managing this change?</li> </ul>

Findings and/or Issues Reported	Citation	Analysis
<p>Designated areas must be set up for construction (i.e., fencing perimeters), and there were issues reported that residential buildings and community areas in the vicinity of some construction areas <b>restricted the contractors from installing a fence</b>. They were unable to demolish some structures, and had to eventually improvise on the fencing perimeter, to <b>ensure that entry/exit</b> through the area for the general public was <b>not disturbed</b> and the needs of the people were maintained.</p>	<p>Reports under Indicator 4.2, for <i>all monitoring reports from 2020 to 2022</i></p>	<p>It is important to understand <b>how the accommodation was made</b> for installing the fence, and any follow-up activities in this area.</p> <ul style="list-style-type: none"> <li>● Were there any impacts on persons with disabilities (PWDs), children, and/or vulnerable groups, from the setup of this temporary fencing?</li> <li>● Are appropriate signage and safety measures set up to ensure children do not endanger themselves by crossing the fencing perimeter?</li> <li>● If affected, were PWDs consulted or given informed consent when setting up the fencing perimeter? Is there a complaint mechanism for these individuals if the temporary fencing has disrupted their livelihoods?</li> <li>● Clarify purpose of fencing, i.e., is there fencing to protect persons from walking into a dangerous area or to protect goods from being stolen, etc.?</li> </ul>
<p>Due to the COVID-19 pandemic, the contractors limited their engagement with communities, and conducted significantly fewer follow-ups during the 2021 calendar year.</p>	<p>Executive Summary, <i>Jul–Dec 2021 Monitoring Report</i></p>	<p>There is no mention of the construction work being delayed or halted during the calendar year.</p>

Table C.2: Summary of the key criteria used in the EIA monitoring reports, for measures to prevent and correct environmental impacts, and how to further explore these.

Criteria / Measure	Details	Further Insights
<b>General Measures</b>		
<b>Geology and Earthquakes</b>  <i>Indicator 2.4</i>	Prior to setting up the tunnel construction schedule, the public must be informed about rock blasting (explosions) at least one day in advance, and they must be alerted one hour before an explosion.	<ul style="list-style-type: none"> <li>• What is the radius of impact where the public is to be informed about rock blasting? Are all communities within this radius included in the communication/prior informed notice?</li> <li>• Do the community members receive any training/awareness on understanding and managing the concept of rock blasting in the area?</li> <li>• For individuals, especially children and/or PWDs, is there any support provided after rock-blasting activities?               <ul style="list-style-type: none"> <li>• This activity could pose risks to the mental health of community members (i.e., trauma, fears, etc.). Does the community have access to mental support mechanisms?</li> </ul> </li> </ul>
<b>Soil Resources and Erosion</b>  <i>Indicator 3.10</i>	Soil must be removed from the construction area only between the hours of 22:00 and 05:00. Trucks must be covered to prevent the spread of dust, dirt/soil, and debris on the roads and in the air. Covering must be of plastic material, and a designated route be used for the dump trucks to follow to the landfill or dumping site.	There is documentation in the later EIA monitoring reports of complaints regarding air pollution and noise. <ul style="list-style-type: none"> <li>• A designated route is to be made for the trucks. Are children and/or PWDs provided training/awareness on designated truck routes to ensure their safety?</li> <li>• What are the methods to complain, and what are the follow-up measures taken to the complaints received by community members on air and noise pollution?               <ul style="list-style-type: none"> <li>• Can all members of society (i.e., children, vulnerable groups, women, PWDs) access the GM/complaints mechanism?</li> </ul> </li> </ul>
<b>Air and Atmosphere</b>  <i>Indicator 4.5</i>	Designated areas must be set for concrete mixing, as well as cordoning off areas where demolition of structures occur; a solid fence of at least two meters in height must be fixed.	<ul style="list-style-type: none"> <li>• What considerations for the people in the residential buildings and community areas were taken when installing the fence, and how is it maintained through the construction?</li> </ul> It can be anticipated that these designated areas are set up closer to informal settlements than residential/community areas. <ul style="list-style-type: none"> <li>• Are vulnerable groups adversely affected by fencing put up in these designated areas? Is there a mechanism for them to voice their concerns, and is it considered by relevant groups?</li> <li>• Do these temporary sites affect the day-to-day lives of vulnerable communities or PWDs? If so, what measures are considered for remediation?</li> </ul>
<i>Indicator 4.2</i> <i>Indicator 4.8</i>	Concrete mixing areas must be located at least 100 meters away from the community/housing, with fencing at least three meters in height.	This is slightly inconsistent with indicator 4.2, and further observations on the field would be required to understand how these designated sites are cordoned off from the communities.
<i>Indicator 4.3</i>	A designated station for washing wheels must be set in the case of transporting materials, and located within a fenced area away from communities.	Similar, as above, to indicators 4.2, 4.3, and 4.8.
<i>Indicator 4.4</i>	Watering exposed/dirty areas must be done at least three times per day, to avoid the spread of dust, soil, debris, and other materials on- and offsite.	This indicator is important to observe at the construction and specific designated sites, to link to the above indicators (3.8, 4.2, 4.3, 4.4, 4.8) on air pollution and spreading of dirt/debris.
<i>Indicator 4.10</i>	<b>When a complaint is received, the impact from the relevant construction activity should be expedited to completion and remedied as soon as possible. Corrective action to the</b>	High priority indicator to consider through the assessment. Complaints were reported and documented in some of the EIA monitoring reports, and it is important to understand the follow-up measures taken to remedy the complaints. In 2022, it was reported that the project owner will assign more staff to handle an increasing number of grievances.

Criteria / Measure	Details	Further Insights
	<b>complaint should be taken immediately.</b>	As mentioned above, is the GM available to all?
<b>Noise Control</b> <i>Indicator 5.1</i>	People within the vicinity of noisy activities must be informed of the construction ahead of time.	Refer below to specific indicators.
<i>Indicator 5.3</i>	Tunnel explosions and noisy activities must be announced to the public. People living nearby to the project area must be informed at least one week in advance.	As mentioned under indicator 2.4, there is no guidance document or reference on the measures for the blast radius. <ul style="list-style-type: none"> <li>• What are the boundaries that distinguish communities from receiving one-week notice versus one-day notice?</li> </ul> Neighboring communities and households will talk and spread their own information about the informed notice on rock blasting. The concept may not be fully understood by all members of society. <ul style="list-style-type: none"> <li>• Are there mechanisms and/or communication channels in place to control social unrest between communities when providing informed notice to all?</li> </ul>
<i>Indicator 5.4</i>	Activities that may cause unusual noise should be restricted only between the hours of 06:00 and 18:00, in order to prevent harm to people living in the area.	Should any noisy activity take place outside of these designated hours: The action reported in the monitoring reports states that, in the case activities continue outside of the working hours, notice must be provided to the nearby communities. <ul style="list-style-type: none"> <li>• Are people living in the area made aware of these operational hours and/or do they receive notice if outside these hours? Is the information equally disseminated to all?</li> <li>• Who are the responsible parties that the community can submit complaints to?</li> </ul>
<i>Indicator 5.6</i>	The noise level must be monitored in order to prevent impacts on nearby communities. A temporary noise retention wall should be installed, using a metal sheet at least 1.5 millimeters thick, around noisy areas of construction; and noise levels kept below 90 decibels during an eight-hour period.	Important values and figures to keep in consideration while conducting field observations.
<i>Indicator 5.11</i>	<b>A Community Complaint Center must be established and located near most routes of the construction, with appropriate signs and an established telephone number attached.</b>	<ul style="list-style-type: none"> <li>• Are the local communities made aware of this complaint center, and is it accessible to all?</li> </ul> The monitoring reports also stated that <b>a representative was appointed in 2019 and stationed at this center</b> to monitor and record complaints. <ul style="list-style-type: none"> <li>• Is this implemented in other sections/provinces/areas?</li> <li>• Are people given guidance on how to submit complaints? Are there measures to follow up on complaints submitted?</li> <li>• Is the center at an appropriate location to accommodate vulnerable groups?</li> <li>• Are women able to voice their concerns as equally as men?</li> <li>• Is more than one method for submission of complaints provided (i.e., online; written; orally)?</li> <li>• Is the system for accepting complaints anonymized?</li> </ul>
<b>Vibrations</b> <i>Indicator 6.1</i> <i>Indicator 6.4</i> <i>Indicator 6.5</i>	Vibrations from rock blasting and other explosive and/or noisy-heavy activities must be controlled within set hours of the day (07:00–18:00). The general public must be informed ahead of time, and given adequate notice about these activities. Rock-blasting activities of tunnel construction will have to be informed in	These indicators are important to consider concurrently with the indicators under the category of Noise Control. Measures to follow are similar/in line with the indicators under that category.

Criteria / Measure	Details	Further Insights
	<p>advance of at least one day and again one hour before the activity. Announcements must follow in accordance with the National Environment Board No. 37 and follow appropriate vibration standards to preserve nearby structures, including heritage sites and religious places, as well as protecting the public.</p>	

**Measures Against Human Value**

<p><b>Logistic and Traffic Management</b></p> <p><i>Indicator 1.2</i> <i>Indicator 1.9</i> <i>Indicator 1.14</i></p>	<p>Warning signs of construction activities should be installed at the range of one kilometer distance from the construction site to warn all drivers. At 500 meters before reaching the construction site, signs informing the reduction of traffic lanes should be installed. At 150 meters, traffic lanes and speed reduction signs should be installed. At 20 meters, traffic signs, warning lights, and traffic cones should be placed along the areas. Last, at 20 meters before the end of the construction area, signs should also be installed to inform the drivers.</p> <p>Reversible lanes should be arranged to handle rush hour traffic, as well as meet drivers' needs.</p> <p>In the case of damaged roads caused by the project, the damaged roads shall be fixed immediately.</p>	<p>Some grievances were raised about the traffic conditions in the latest monitoring report. It was also reported as one of the topics that required close observation. As follow-up actions, it would be recommended to understand:</p> <ul style="list-style-type: none"> <li>• Have the signs been placed as per the measures indicated?</li> <li>• Do the community/drivers understand the traffic/warning signs?</li> <li>• Do the community/drivers receive proper training/information on the topic?</li> </ul>
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<p><b>Land Use and Town Planning</b></p> <p><i>Indicator 2.2</i></p>	<p>Limit the width of construction (railway) where necessary, especially in areas where land is being expropriated to reduce changes in land use and mitigate impacts against those affected by the expropriation.</p>	<p>There is no mention of affected individuals being compensated for the land that was expropriated from them. Additionally, there is no report/evidence of a resettlement plan in action or conducted for displaced communities.</p> <ul style="list-style-type: none"> <li>• As highlighted above, do affected persons/communities have access to GMs and complaint centers for land expropriation?</li> <li>• If communities were resettled in other areas, are they given adequate support in adjusting? Do they still have access to support/services, as before?</li> <li>• Is there a mechanism for disputing compensation packages for expropriated land?</li> <li>• Are all groups given fair treatment, and what support is made available to vulnerable groups after the cause?</li> <li>• What about services to PWDs? Children?</li> </ul>
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**Value Measures for Quality of Life**

<p><b>Economic and Social Conditions</b></p> <p><i>Indicator 1.1</i></p>	<p>There must be an obligation to inform the public about any project news, including important information and knowledge that could contribute to positive and/or negative impacts from</p>	<p>These indicators are all described through their metrics identified in the sections under <i>General Measures</i>. Each of these is relevant to understand how the monitoring and complaints mechanisms are managed, and what can be referenced in terms of addressing the gaps in safeguarding communities.</p>
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Criteria / Measure	Details	Further Insights
	the development of the high-speed railway.	<p>It is also important to understand if any impacts are observed on workers and their living conditions.</p> <ul style="list-style-type: none"> <li>• Where are the workers from? Are they local laborers or migrants?</li> <li>• What is the level of impact on the workers and the impact translated to communities affected through the construction?</li> </ul>
<i>Indicator 1.3</i>	Public information sheets must be prepared and disseminated to the public; further details provided at the complaint center. At least 3,000 sets must be prepared and disseminated to residents along the route, business owners, and other relevant people.	
<i>Indicator 1.4</i>	Prior to opening and beginning specific construction activities, notification must be provided to households and community members in the area at least 60 days in advance. This may be done through community leaders, local government organizations, or another appointed representative. If any question is raised, the contractor should directly provide the response.	
<i>Indicator 1.6</i>	There must be at least one location per district for the complaint center, with appropriate signage to indicate these locations to the public. The reported problems, concerns, and impacts must be provided with a proper resolution quickly and duly recorded for weekly report to all related stakeholders.	
<i>Indicator 1.7</i>	Socioeconomic surveys and opinions of people affected by land expropriation must be conducted. The problems, concerns, and impacts must be duly recorded and a resolution made quickly and in accordance with solving the people's core needs.	
<i>Indicator 1.9</i>	Establish an officer to oversee safety and manage traffic in the construction area and workers' house at all times.	
<i>Indicator 1.13</i>	The project must provide channels for acknowledging information, problems, concerns, opinions, and suggestions from the public; organized with effective two-way communication to facilitate public participation.	
<i>Indicator 1.14</i>	The process for the public's participation must be provided at all stages of the construction, including both the pre-construction and post-construction stages of development.	

Criteria / Measure	Details	Further Insights
<i>Indicator 1.18</i>	An official center with official staff members must be established to receive complaints and expedite any resolutions for these complaints.	
<b>Migration and Expropriation</b>  <i>Indicator 2.2</i>	Payment/compensation of assets must be made at a reasonable and fair price. Payment/compensation for damaged assets and land must also be made at a reasonable and fair price, in a timely manner. Further details on the land pricing, value, taxes, and compensation should be referenced in accordance with relevant Thai law and regulations (this includes any appraisals that may be needed).	A process exists <b>to handle resettlements and compensation as a result of expropriated land</b> . Relevant staff have been assigned to work on these impacts from the project's construction. However, <b>no resettlements have been reported yet</b> about resettlements and/or disputes with compensation. There are key criteria such as the following: <ul style="list-style-type: none"> <li>● Resettlement should be complete before the construction starts;</li> <li>● Compensation should be at the market rate, including taxes for the new land;</li> <li>● Compensation for establishment should cover the cost of deconstruction, and all costs related to replace establishment, i.e., architecture cost, construction workers cost, taxes, insurance, licenses, and tree planting;</li> <li>● If the resettlement land disrupts agriculture harvesting, the compensation should also cover the expected profit; and</li> <li>● Resettlement compensation should also cover the losses from stopping a business.</li> </ul>
<i>Indicator 2.3</i>	Persons affected by land expropriation must be supported by the project owner. If the right to receive fair and reasonable compensation is not followed (i.e., individual is dissatisfied) with the appropriate price/amount of compensation, the individual must first accept the payment and then make an appeal to the Ministry of Transport within 60 days from the date of notice/compensation received.	

## C.2 Relevant Laws and Legal Frameworks

### **HUMAN RIGHTS LAW**

#### ***The Constitution of the Kingdom of Thailand B.E. 2550:***<sup>50</sup>

Section 27 of the Constitution provides for explicit rights and protections.<sup>51</sup> Chronologically, the first issue addressed is discrimination.

*“Unjust discrimination against a person on the grounds of differences in origin, race, language, sex, age, disability, physical or health condition, personal status, economic and social standing, religious belief, education, or political view which is not contrary to the provisions of the Constitution, or on any other grounds shall not be permitted.”*

It should be noted, however, that the scope of rights afforded to *non-citizens*, while not specifically dealt with in this section, should, normatively, be covered by the Universal Declaration of Human Rights.

Other human rights are detailed in the following sections, including:

- the right to procedural fairness and a prevention against “*Torture, brutal acts or punishment by cruel or inhumane means*” (Section 28)
- fair trial rights (Section 29)
- prevention of forced labor (Section 30)
- freedom of religion (Section 31)
- a right to privacy (Sections 32, 33)
- freedom of expression (Sections 34, 35, 36)
- a right to private property and a related right to fair compensation for expropriation (Section 37, with specific wording mandating the creation of an Immovable Property Expropriation Law, see below)
- freedom of movement (Section 38, although with a qualifier that exceptions apply in cases of “*security of the State, public order, public welfare or town and country planning, or for maintaining family status, or for welfare of youth*” [our emphasis])
- a right to access information, with a concomitant right to take legal action where there is a failure to do so

***The Child Protection Act B.E. 2546:***<sup>52</sup> Passed in 2003, the Act establishes<sup>53</sup> a National Child Protection Committee tasked with supporting the protection of children from neglect, abuse, and torture.

***Victims of Domestic Violence Protection Act B.E. 2550,***<sup>54</sup> which focuses on measures to prevent and address domestic violence and protect victims of domestic violence.

***The Labour Protection Act B.E. 2541,***<sup>55</sup> which established minimum labor standards and provides the protection of workers’ rights.

Section 4 sets out the definition of “forced labor or service” as the following:

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<sup>50</sup> (2007) Constitution of the Kingdom of Thailand B.E. 2550. Source (EN):

[http://web.krisdika.go.th/data/outside/outside21/file/Constitution\\_of\\_the\\_Kingdom\\_of\\_Thailand.pdf](http://web.krisdika.go.th/data/outside/outside21/file/Constitution_of_the_Kingdom_of_Thailand.pdf)

<sup>51</sup> These protections by and large mirror similar provisions laid down in the Universal Declaration of Human Rights.

<sup>52</sup> (2003) The Child Protection Act B.E. 2546. Source (EN): [https://www.moe.go.th/backend/wp-content/uploads/2021/02/809775\\_0001.pdf](https://www.moe.go.th/backend/wp-content/uploads/2021/02/809775_0001.pdf)

<sup>53</sup> *Ibid.*, Section 7.

<sup>54</sup> (2007) The Victims of Domestic Violence Protection Act B.E. 2550. Source (EN):

[http://web.krisdika.go.th/data/outside/outside21/file/Victims\\_of\\_Domestic\\_Violence\\_Protection\\_Act\\_BE\\_2550.pdf](http://web.krisdika.go.th/data/outside/outside21/file/Victims_of_Domestic_Violence_Protection_Act_BE_2550.pdf)

<sup>55</sup> (1998) The Labour Protection Act B.E. 2541. Source (EN): <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/49727/125954/F-1924487677/THA49727%20Eng.pdf>

“... means compelling the other person to work or provide service by putting such person in fear of injury to life, body, liberty, reputation or property, of such person or another person, by means of intimidation, use of force, or any other means causing such person to be in a state of being unable to resist.”<sup>56</sup>

**The Anti-Trafficking in Persons Act B.E. 2551:** Passed in 2008, the Act establishes the Anti-Trafficking in Persons Committee, which is tasked with oversight of the prevention of trafficking in persons. The Act also proscribes a list of crimes and a related punishment regime. Trafficking is broadly defined in Section 6:

Whoever, for the purposes of exploitation, does any of the following acts:

(1) Procuring, buying, selling, vending, bringing from or sending to, detaining or confining, harboring, or receiving any person, by means of the threat or use of force, abduction, fraud, deception, abuse of power, or of the giving money or benefits to achieve the consent of a person having control over another person in allowing the offender to exploit the person under his control; or

(2) Procuring, buying, selling, vending, bringing from or sending to, detaining or confining, harboring, or receiving a child;

**Emergency Decree Amending the Anti-Human Trafficking Act B.E. 2562:** Passed in 2019, under the Act, “Forced Labor” (FL)—a typical concomitant offense to human trafficking—is defined through Section 6, ss 1, as:

... Any person who compels another person to work or to provide services by one of the following means:

- (1) threatening to cause injury to life, body, liberty, reputation or property of the person threatened or any other person;
- (2) intimidating;
- (3) using force;
- (4) confiscating identification documents;
- (5) using debt burden incurred by such person or any other person as the unlawful obligation;
- (6) using any other means similar to the above acts.

If such act is committed to another person to be in the situation where he or she is unable to resist, such person commits the offence of forced labor or services.<sup>57</sup>

**Royal Ordinance on Management of Migrant Workers B.E. 2560 (2017):** Under the Ordinance passed in 2017, a range of labor rights for migrant workers are further specified, including provisions requiring employers, among other things, to:

- provide workers with their employment contract;<sup>58</sup>
- provide funding to workers for bringing them to Thailand and back to their home countries when employment ends, i.e., recruitment fees, transportation costs (but excluding personal expenses such as passports, medical checks, and work permits);<sup>59</sup>
- prohibit deductions of more than 10 percent of workers’ monthly salaries for personal expenses incurred above;<sup>60</sup>
- prohibit the retention of travel or other personal documents.<sup>61</sup>

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<sup>56</sup> Ibid., s 4.

<sup>57</sup> *Emergency Decree Amending the Anti-Human Trafficking Act (2008)*, s 6/1.

<sup>58</sup> *Royal Ordinance on Management of Migrant Workers (2017)*, s 46.

<sup>59</sup> Ibid., ss 42, 49.

<sup>60</sup> Ibid., s 49.

<sup>61</sup> Ibid., s 131.

***Immovable Property Expropriation Act B.E. 2530:*** Passed in 1987, the Act sets out the regime for the expropriation, or compulsory acquisition, in circumstances where “the transfer of ownership of such immovable property is not agreed upon otherwise”,<sup>62</sup> in other words, where an agreement for the land transfer cannot be agreed informally, the Act applies to facilitate the expropriation. The Act sets out the conditions for an order,<sup>63</sup> in fact a Royal Decree, which need to be met, including explaining the *purpose*, identifying the relevant *public officer* tasked with carrying out the decree, and identifying the *demarcated area(s)* to be expropriated.

Importantly, Section 7 sets out the requirements for public notification, listing the following places (being the relevant expropriation officer’s office, the relevant district’s *and* relevant sub-district’s administration office, and the relevant district’s land office):

(1) *Office of the Officer;*

(2) *Bangkok Metropolitan Administration, Khet Office, Khwaeng Office, Changwat Office, Amphoe or King-Amphoe Office, Tambol Office, Village Master Office, as the case may be, where the immovable property to be expropriated is located;*

(3) *Changwat Land Office and Amphoe Land Office where the immovable property to be expropriated is located.*<sup>64</sup>

Section 8 establishes a right to compensation, and Section 9 authorizes the creation of a local ad hoc committee to assess the price to be assigned for the expropriated property, comprising a representative of the expropriation officer, a local district land office officer, an “other state agency official,” and a “local assembly” official. Section 9 further specifies issues the local committee must consider when making its decision.

Section 18 establishes eligibility for expropriation compensation; this includes owners who hold possessory rights under related legislation (untitled possessors),<sup>65</sup> owners, (titled owners), owners of crops grown on expropriated land. Owners of tenements on land (i.e., those lacking possessory rights) also have rights to compensation,<sup>66</sup> although only for costs associated with the required demolition, relocation, and reconstruction. Finally, individuals who possess an easement right(s) through property, and who pay licensing fees for such rights, are also eligible if the expropriation extinguishes those right(s).

## **ENVIRONMENTAL PROTECTION LAW**

***Enhancement and Conservation of National Environmental Quality Act B.E. 2535:***<sup>67</sup> Passed in 1992, the Act sets up the establishment of the NEB, with most government cabinet members sitting ex officio, in addition to a cohort of experts (including private sector actors), which mandates the requirement for EIA to be conducted for development projects. Other sections grant the NEB oversight powers of control of pollution (including noise, air, and water), effluent, and other hazardous materials.

***Wild Animal Conservation and Protection Act B.E. 2562:*** Passed recently in 2019, a new statute now governs the prevention of wildlife trafficking. Section 22 provides that “*A person shall not import or export conserved wild animals, carcasses of conserved wild animals or products from carcasses of conserved wild animals unless a licence is granted by the Director-General.*”

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<sup>62</sup> Immovable Property Expropriation Act B.E. 2530, s 5.

<sup>63</sup> Ibid., s 6.

<sup>64</sup> Ibid., s 7, ss 1, 2, 3.

<sup>65</sup> cf. Land Code Promulgating Act B.E. 2497, 1954 (Amended).

<sup>66</sup> Immovable Property Expropriation Act B.E. 2530, s 18, ss 5.

<sup>67</sup> (1991) Enhancement and Conservation of National Environmental Quality Act B.E. 2535. Source (EN):

[https://portal.mrcmekong.org/assets/v1/documents/Thai-Law/Enhancement-and-Conservation-of-National-Environmental-Quality-Act-\(1992\).pdf](https://portal.mrcmekong.org/assets/v1/documents/Thai-Law/Enhancement-and-Conservation-of-National-Environmental-Quality-Act-(1992).pdf)

The related penalties for breaches under the relevant section are listed under Section 89.

#### ***ANTI-DRUG TRAFFICKING LAW***

***Measures for the Suppression of Offenders in an Offence Relating to Narcotics B.E. 2534:*** Passed in 2000, the Act establishes the Properties Examination Committee<sup>68</sup> tasked with oversight of investigations of offenses related to narcotics importation (drug trafficking) and proscribes specific criminal offenses, including offenses which occur *outside* of Thailand,<sup>69</sup> and a related punishment scheme.

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<sup>68</sup> Measures for the Suppression of Offenders in an Offence Relating to Narcotics B.E. 2534, s 15

<sup>69</sup> Ibid, s 5

## C.3 Informed Consent Forms

### 1. Introduction

**Green in the Blue** is a research consultancy, currently working for **The Asia Foundation (TAF) in Thailand** on the above-mentioned research study. Our team of consultants are experts in the field of social impact, and we have been working in the Southeast Asian region for over four years. The work we do is focused on addressing the critical challenges of sustainable development in the Global South, and we have extensive and varied experience in projects in the fields of **Sustainable Development, Livelihoods Improvement, Natural Resources Management, Sustainable Energy and Environmental and Social Impact**. We are currently based in Bangkok, Thailand.

**TAF** is an international NGO with an office in Bangkok, Thailand. They are currently implementing the **USAID and Australia Mekong Safeguards Program**, focused on **large energy and transportation infrastructure investments** in the region. The Bangkok–Nakhon Ratchasima High-Speed Railway Development plays a significant role in TAF’s work to strengthen environmental and social standards and practices in Southeast Asia’s Mekong subregion.

An ongoing Mekong Safeguards activity is conducting empirical research on the views and perceptions of local communities and stakeholders on the Bangkok–Nakhon Ratchasima High-Speed Railway Development Project. This work involves conducting surveys, informant interviews, and focus group discussions (FGDs) with communities and other stakeholders directly and indirectly impacted by the project. Due to begin service in the next few years, this research by TAF and Green in the Blue is aimed at proposing additional social safeguards measures to reduce negative social impact to communities and vulnerable populations related to the ongoing construction of the high-speed railway (HSR) in Thailand.

### 2. Objective

To understand and document the main challenges and gaps affecting the lives of local communities along the HSR development path. This is concurrently seen through the following:

- To understand the existing grievance mechanisms in place and their effectiveness;
- To understand the impacts from accelerated crime (such as transnational organized crime, gender-based violence, sexual harassment) in the form of human, drug, and/or wildlife trafficking affecting women and other possible vulnerable groups;
- To understand the impacts on land and livelihoods; and
- To understand the impacts on community health and safety.

### 3. Important Considerations

#### Voluntary participation

- **You can choose not to participate in this FGD.**
- **If you participate and there are any questions that you are not comfortable answering, you may decline to answer.**
- **You can choose to withdraw at any point during the FGD.**
- **Your name and contact number are only for researcher internal information and will not be disclosed publicly.**

#### Informed consent

After explaining the organization and the research objectives; by signing the form below, you **voluntarily agree** to participate in this FGD and **give consent to Green in the Blue** for collecting and using your information, and the content of your responses, for the purposes of this research study.

**WE WOULD LIKE TO EXPRESS OUR GRATITUDE TO YOU FOR AGREEING TO TAKE PART IN THIS FGD.**