

Comments regarding findings on Screening and Assessment and Human Rights:

1. Indirect, cumulative and induced risks; area of influence: Tables 1 and 2 and paras. 219-232

The report notes that the “UNDP Colombia CO did not properly identify and assess relevant social and environmental risks as required by the SES, most notably indirect, cumulative and induced risks related to the project context(emphasis added) as well as to GeoPark’s business activities and relationship with local communities.” The report further notes at para. 230 that: “Consideration of potential indirect, cumulative or induced impacts should therefore have included those related to GeoPark’s core business activities in the area i.e. biodiversity; pollution; climate change; indigenous peoples; community health, safety and working conditions; and displacement.”

The report appears to consider all actions/activities of the project partner as falling within the scope of the project. More rigorous criteria could be employed here, noting that criteria for identifying and assessing potential indirect, cumulative and induced impacts derive from the field of environmental impact assessment and general good practice among EIA practitioners and various development institutions.

These criteria and approaches include the following general points (of course, adapted for specific contexts as needed):

- The concept of “area of influence” helps to establish the spatial and temporal boundaries of an S&E assessment of relevant project activities, and the scope of applicable SES-related management measures/plans.
- Several factors help determine the spatial and temporal boundaries for assessing S&E risks and impacts in the potential area of influence:
 - o a focus on impacts that are sufficiently likely to occur.
 - o the impacts should have a reasonably close causal relationship to project activities, associated facilities and potential induced actions and would typically not include effects that are remote in time, geographically remote, or the product of a lengthy causal chain.
 - o Indirect and induced impacts do not include potential S&E impacts that might occur without the project or independently of the project.

These and other factors could be considered when evaluating the scope of potential direct, indirect and cumulative impacts related to project activities in the report.

2. Conflict and reprisals: At Tables 1 and 2, the report notes that The UNDP Colombia CO did not take necessary measures to avoid, minimize, and mitigate adverse human rights risks and impacts as required under the SES, in particular, regarding discrimination, conflict and reprisals which materialized during project implementation, and which could have been avoided, minimized, or mitigated;...(emphasis added).”

The report does not appear to provide evidence of “conflict and reprisals that materialized during project implementation” and given the phrasing appears to associate conflict and reprisals to the project activities.

The report does cite instances of potential intimidation and a breakdown of trust and a potential increase in social division.