

SECU00017 - SUPPLEMENTARY ANNEXES

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ANNEX 5. EVIDENTIARY DOCKET

This Evidentiary Docket is a compilation, though not exhaustive, of evidence relied upon for the analysis and findings of the Investigation Report. It serves solely as additional evidence or background to provide greater understanding of the Report's analysis and findings. The Evidentiary Docket is not a representation of SECU findings. The Evidentiary Docket includes publicly available information and reports relating to third-parties only insofar as relevant to an analysis of UNDP's compliance with its social and environmental commitments and/or resultant harms. SECU makes no finding on the truth of the underlying claims or allegations in evidence included herein, but rather identifies information relevant to UNDP's due diligence and risk management processes.

The Local Context in Putumayo

1. Both complainants' territories and one of the Private Sector Project areas are located in Putumayo, at the southern end of the Colombian Amazon, bordering Ecuador and Peru. Sitting between the Mocoa, Caquetá and Putumayo rivers, Putumayo is a strategic zone for both the military and illegal armed groups as well as for the petroleum industry.
2. Since the 1960s and 70s, Putumayo's local indigenous and smallholder farmer, or *campesino* populations have experienced waves of petroleum development, accompanied by migration, violence, land conflicts, and dispossession.¹
3. Starting in 2000, the area became a primary target for the government's coca eradication program – Plan Colombia.²
4. Beginning in 2003, the militarization of rural areas for this eradication program enabled a resurgence of petroleum activity.³
5. In 2006, the government granted oil company Ecopetrol concessions within the Perla Amazónica. Shortly thereafter, communities began citing adverse health and environmental impacts, and these impacts were also felt by the neighboring Siona of Buenavista, who live downstream.

¹ According to the UN Agency for Refugees, petroleum development has fueled "uncontrolled waves of migration" displacing the Siona and other ethnic groups, such that it has "put their very survival at risk" – UN Refugee Agency, *El Informe de Putumayo: Aproximación y reseña al conflicto social y político y su impacto en las comunidades indígenas*, 2004; see also Centro Nacional de Memoria Histórica, [Petróleo, coca, despojo territorial y organización social en Putumayo](#), November 2015.

² Plan Colombia was an initiative created in 1999 by the Colombian Government to decrease violence by addressing development needs, but through the influence of US aid, largely focused on combatting the FARC by increasing the funding, training, and presence of Colombian military and para-military forces, and aggressively eradicating coca cultivation.

³ Without establishing a direct relationship, the militarization of Putumayo that took place with Plan Colombia served as the basis for the resurgence of the oil industry that began in Putumayo in 2005. The increase in security forces and the modernization of weapons through Plan Colombia allowed the Colombian State to secure areas of Putumayo that had petroleum reserves and where oil company operations had previously been precarious. See Centro Nacional de Memoria Histórica, [Petróleo, coca, despojo territorial y organización social en Putumayo](#), November 2015.

6. Since then, petroleum exploration and exploitation licenses in the area have been expanded multiple times and new licenses granted.
7. With the increase in petroleum activity, the presence of security forces and armed actors within the Perla Amazónica and the Siona reserves increased. Throughout the armed conflict (1964-2016), both the Siona and Perla Amazónica communities were heavily impacted by the power struggles between the FARC, public security forces, and armed actors; subjected to stigmatization, intimidation, displacement, forced disappearances, targeted killings, indiscriminate shelling, and forced recruitment.⁴ Much of their territories have been mined with antipersonnel mines.⁵
8. As a result, in 2009, the Colombian Constitutional Court declared the Siona “victims of extremely serious individual and collective human rights violations”, and disparately affected by forced displacement, the presence of illegal crops, territorial conflicts and megaprojects (oil and gas infrastructure and roads), which leave them facing a grave risk of physical and cultural extermination.⁶
9. Similarly, human rights bodies and groups have highlighted an environment of intense conflict and security threats for the communities and human rights defenders of the Perla Amazónica due to their struggle to defend their territory from environmental contamination from oil activities and the presence of armed groups.⁷
10. Both groups have asserted their independence from government, guerilla, and armed groups as well as petroleum companies.⁸
11. In 2012, the Perla Amazónica released a comprehensive sustainable development plan to support habitat conservation, economic wellbeing and food security – a plan ADISPA describes as incompatible in every way with petroleum development.⁹

⁴ See Centro Nacional de Memoria Histórica, [Petróleo, coca, despojo territorial y organización social en Putumayo](#), November 2015; Ministerio del Interior et al., [Informe Interinstitucional de la visita de verificación al resguardo indígena Buena Vista del pueblo Ziobain \(Siona\)](#), 27 July 2017

⁵Ibid, Asociación de Cabildos Indígenas Pueblo Siona, [Diagnóstico Plan de Salvaguarda Zio Bain](#), 2012.

⁶ Constitutional Court of Colombia, [Auto 004 of 2009](#), 26 January 2009, p.22.

⁷ See e.g., Comisión Interamericana de Derechos Humanos, [Medida Cautelar no. 204-17](#), 3 December 2018; Amnesty International, [Colombia: Why do they want to kill us?: Lack of safe space to defend human rights in Colombia](#), 8 October 2020; PBI Colombia, [Solidarity With Community Struggles To Defend The Environment In Putumayo](#), 6 October 2019.

⁸ See e.g., The Guardian, ['Defending our existence': Colombian tribe stands in way of oil exploration](#), April 2019; Comisión Intereclesial de Justicia y Paz, [ADISPA se suma a la jornada nacional de movilización por la vida, la democracia y la paz](#), 17 October 2020; Centro Nacional de Memoria Histórica, [Petróleo, coca, despojo territorial y organización social en Putumayo](#), November 2015; Comisión Intereclesial de Justicia y Paz, [Paramilitares ordenan disolver la Zona de Reserva Campesina Perla Amazónica](#), 10 February 2021.

⁹ Zona De Reserva Campesina Bajo Cuembí Comandante, [Plan De Desarrollo Sostenible](#), 2012.

12. The Siona of Buenavista describe the struggle of preserving and defending their territory as something they do for the good of the entire planet, and since 2014 have adamantly rejected oil development.¹⁰
13. While the 2016 Peace Accords process brought about a momentary drop in violence in the region, that void was soon filled by illegal armed groups. Putumayo today has some of the highest rates of illicit coca production, poverty, and violence.¹¹
14. Public security forces, drug cartels and armed actors vie for control of petroleum infrastructure, territory, and revenues.¹² In 2020, at least 79 civilians were killed due to the expansion of armed groups in Putumayo.¹³
15. The Covid-19 pandemic and related lockdown exacerbated poverty and inequality in the region, hitting those in rural areas with little governmental presence hardest, especially rural *campesino* and indigenous communities, such as the Siona and Perla Amazónica.¹⁴ The lockdown and social isolation also exacerbated risks for human rights defenders and social movement leaders – at least 15 human rights defenders were assassinated in Putumayo in 2020 alone.¹⁵

The Sustainable Amazon for Peace Project

16. A key factor in the complaint to SECU was the fact that the complainants – ADISPA and the Siona of Buenavista – were partners and grantees of UNDP through the Sustainable Amazon Project.
17. This project, launched in January 2018 under the Colombia CO's Sustainable Development programme, focuses on building “sustainable territories for peace” by forging partnerships with victims of conflict and social organizations and populations in the process of being

¹⁰ See e.g., Democracia Abierta, [Los indígenas Siona piden silencio para sus rituales de yagé. Se sienten “perturbados”](#), 3 July 2023; The Guardian, ['Defending our existence': Colombian tribe stands in way of oil exploration](#), 2 April 2019.

¹¹ Approximately 16% of the country's total coca production - UNODC, [Monitoreo de territorios afectados por cultivos ilícitos 2021 Colombia](#), Departamento Administrativo Nacional de Estadística Colombia, [Índice de Pobreza Multidimensional 2019-2021](#), 28 April 2022.

¹² The Guardian, ['The war goes on': one tribe caught up in Colombia's armed conflict](#), 27 June 2018; See Minister of Interior, et.al, [Informe Interinstitucional De La Visita De Verificación Al Resguardo Indígena Buena Vista Del Pueblo Ziobain \(Siona\)](#), 27 July 2017 - To date, the signing of the Peace Agreements shows a decrease in the actions perpetrated by the FARC and the Military Forces; however, there is still an increased military presence and actions in the area to protect the oil infrastructure, preventing the community from subsistence activities related to hunting, fishing, collection and transit between neighboring communities. Violent clashes between the armed groups Comandos de la Frontera and Frente Carolina Ramirez have expanded to target civilians, particularly local farmer groups and social leaders, producing high incidences of forced displacement, forced disappearances, sexual exploitation, violence, and killings. Centro Nacional de Memoria Histórica, [Petróleo, coca, despojo territorial y organización social en Putumayo](#), November 2015.

¹³ UN Office for the Coordination of Humanitarian Affairs, [Colombia Briefing](#), 2021.

¹⁴ See e.g., UN Colombia, [Plan de respuesta socio-económica frente a la pandemia de la COVID-19 en Colombia](#), 21 May 2020; and UN Colombia, [Análisis de impacto socio-económico en la crisis COVID-19](#), 30 June 2020.

¹⁵ El Espectador, [Los 199 líderes sociales asesinados en 2020, la otra tragedia a la sombra del Covid-19](#), 21 May 2021; see also Comisión Intereclesial de Justicia y Paz, [Persisten asesinatos en Putumayo](#), 21 May 2021.

reintegrated into civilian life.¹⁶ The partnerships support the promotion of sustainable development and the prevention of deforestation in key biological corridors of the Colombian Amazon. The project involves three areas buffering national parks, including one within the department of Putumayo.

18. One of the key outputs for the Sustainable Amazon Project is that, through a small-grants programme, “[c]ommunity, rural, indigenous, and women’s organizations [are] strengthened to manage sustainable production practices in a peace-building context”.¹⁷
19. In March 2019, the CO signed a grant agreement with ADISPA under this project.¹⁸ The agreement purpose was to “strengthen the capacities of the ADISPA organization in the exercise of environmental governance...to contribute to ecosystem resilience, adaptation, sustainability and permanence” within the Perla Amazónica.¹⁹
20. In the Sustainable Amazon Team’s early consultations with ADISPA, ADISPA identified petroleum exploitation as one of their greatest challenges to confronting deforestation in their territory.²⁰
21. In August 2020, the Siona of Buenavista also signed a grant agreement with UNDP Colombia as part of the Sustainable Amazon Project.²¹ The project purpose was to strengthen self-governance and sustainable management of the Buenavista Reserve.²² Project activities included building capacity around territorial defense, including the indigenous guard, and strengthening of women’s agricultural and medicinal production in community plots called *chagras*.²³ The outcomes to be delivered by the Siona of Buenavista include the elaboration of a georeferenced map identifying and describing the characteristics of culturally and environmentally significant sites.
22. The Siona of Buenavista state they were clear in their negotiations with UNDP that safeguarding their territory means defending it from oil exploitation and coca expansion.²⁴

¹⁶ Total project costs are USD 54,863,349, of which UNDP administers a Global Environment Facility (GEF) grant in the amount of USD 9,000,000.

¹⁷ UNDP Colombia, Sector Privado y Agenda 2030 Prodoc, 26 January 2021.

¹⁸ Microcredit subsidy agreement No 0000044024 between UNDP and ADISPA.

¹⁹ Specifically, it aimed to support ADISPA’s sustainable development plan by connecting biological corridors and confronting deforestation through several community initiatives, including identification of environmentally important areas in the Reserve, development of a community plant nursery and apiculture program, monitoring of fauna, and a program of environmental promoters.

²⁰ UNDP Colombia, Informe de misión – reunión ADISPA, 22 November 2018.

²¹ Low Value Grant Agreement Reference No. 0000045477 between UNDP and Resguardo Indígena Siona Buenavista.

²² Ibid, Anexo A: Propuesta de Acuerdo de Subvención de Bajo Valor.

²³ The outcomes to be delivered by the Siona included the elaboration of a georeferenced map identifying and describing the characteristics of culturally and environmentally significant sites. UNDP’s grant agreement with Buenavista identified that women’s traditional utilization of *chagras* has been weakened due to conflict, illicit crops, and the petroleum industry. Low Value Grant Agreement Reference No. 0000045477 between UNDP and Resguardo Indígena Siona Buenavista Anexo A: Propuesta de Acuerdo de Subvención de Bajo Valor.

²⁴ Also, note that risks identified for the project include security risks including antipersonnel mines and displacement. Low Value Grant Agreement Reference No. 0000045477 between UNDP and Resguardo Indígena Siona Buenavista Anexo A: Propuesta de Acuerdo de Subvención de Bajo Valor.

23. A grant agreement was also signed with the Siona Reserve of Piñuña Blanco in August of 2020 as well as the Association of Indigenous Councils of the Siona People.

24. Project partners reported to SECU that the question of how UNDP is funded, under what conditions, and where the funds come from for a specific project was not discussed.

The Private Sector Project and GeoPark

25. In March 2020, the CO developed a Private Sector Strategy to better orient private sector social spending toward fulfillment of the sustainable development goals, including supporting post-COVID 19 economic recovery.²⁵

26. The Private Sector Project was created to operationalize this strategy. It was housed within the CO's Poverty programme, and designed to be an umbrella project that would eventually involve various private sector partners financing different activities in their geographic areas of influence through cost-sharing agreements.²⁶

27. The CO notes that with the pandemic lockdown, beginning in March 2020, the office was eager to find solutions for the unfolding economic crisis, while at the same time dealing with the logistical impacts of the lockdown, including coordination and communication challenges.

28. Beginning in July 2020, UNDP and GeoPark began discussions regarding a partnership under the Private Sector Project. The Financing Agreement between GeoPark and UNDP was signed December 24, 2020.

29. The umbrella Private Sector Project and the GeoPark alliance were approved together under a single Project Document (Prodoc), signed January 26, 2021.

30. The CO states that GeoPark was the first company to enter into a cost-sharing agreement with UNDP under the Private Sector Project in large part because they already had an existing relationship with the company through the Gender Equality Management System – Equipares (“Equipares”) Project.²⁷

²⁵ UNDP Colombia, Estrategia del Sector Privado de PNUD Colombia, 2021. According to the CO, the Private Sector Project responded to a socioeconomic study regarding the impact of the pandemic in Colombia and related development gaps and economic recovery needs - UNDP Colombia, Análisis de impacto socioeconómico en la crisis COVID-19, 2020. At a corporate level, UNDP has promoted private sector partnerships, including with the extractive and oil and gas sectors, for example with Petrobras in Brazil.

²⁶ While the Private Sector Project was sometimes referred to informally as a “portfolio approach”, it was registered as a single project rather than a “portfolio of projects.”

²⁷ The Equipares Project was established in December 2019 by UNDP together with the Colombian government and the private sector in order to build companies’ capacity on gender issues as part of a certification programme run by the Labor Ministry. In February 2020, UNDP signed a Development Services Agreement (DSA) with GeoPark, under which the company would finance

31. Under the Private Sector Project, GeoPark was to provide USD 1,962,967 in financing for the first year of a 2-year Covid-19 economic recovery effort involving seven municipalities neighboring GeoPark operations in three departments: Meta, Casanare, and Putumayo.²⁸
32. The Prodoc was drafted to reflect the larger umbrella project, including its general discussion of development challenges and risks, and its broad categories of outputs and results.
33. With the exception of the Prodoc's cover page and workplan, which mention the financial contribution of GeoPark, and the Evaluation Plan which lists GeoPark, the document refers to the alliance with GeoPark in only a few lines: a listing of the municipalities involved, and a short description of the project activities in general terms.²⁹
34. The Prodoc description of development challenges highlights development gaps between rural and urban areas, unemployment, and the vulnerability of certain population groups, including women. It also highlights the challenges the country faces in terms of environmental sustainability, including deforestation and environmental crimes, climate risk and contamination, and stresses the importance of environmental sustainability and addressing the climate crisis for both the 2030 Agenda as well as post-Covid-19 reconstruction.³⁰
35. The Private Sector Project was a Direct Implementation Modality (DIM) project, but, as noted in the Prodoc, through agreements with private sector partners, partners were engaged not only in financing, but also in management and implementation of the agreements under the project.³¹ The GeoPark partnership was co-designed with GeoPark to target geographic areas neighboring GeoPark operations and of strategic importance to the company.³²

15,165 USD in technical support from UNDP to implement the Gender Equality Management System. See e.g., UNDP Colombia, Sistema de gestión de igualdad de género SGIG-Equipares Prodoc, 18 December 2019; and Equipares Sello de Igualdad Laboral, [Sello Equipares](#).

²⁸ UNDP Colombia, Sector Privado y Agenda 2030 Prodoc, 26 January 2021; UNDP Colombia, Marco lógico – Sector Privado y Agenda 2030.

²⁹ “Within the framework of this Project, UNDP will accompany Geopark in the process of expanding its contribution to the SDGs, with emphasis on the implementation of a territorial reactivation program. To this end, strategies will be developed to promote livelihoods and increase income generation opportunities for vulnerable populations, through the development of rural value chains, digitalization and productivity programs for MSMEs and the promotion of local jobs.” - UNDP Colombia, Sector Privado y Agenda 2030 Prodoc, 26 January 2021; UNDP Colombia, Marco lógico – Sector Privado y Agenda 2030.

³⁰ UNDP Colombia, Sector Privado y Agenda 2030 Prodoc, 26 January 2021.

³¹ The Prodoc lists “parties involved in the financing, management and implementation of the project” as the private sector and local and national government. It additionally states “UNDP advises and works with companies in the joint design and implementation of projects that are sustainable, scalable, replicable and contribute to the achievement of the SDGs, through its philanthropy and CSR actions from its corporate foundations, as well as those directly related to its core business.” UNDP Colombia, Sector Privado y Agenda 2030 Prodoc, 26 January 2021, p. 4.

³² Project Results are described as follows: “45 production units in GeoPark’s area of influence will be strengthened in their administrative and commercial capacities; GeoPark will position its social investment programs with the community in its area of influence, will forge an alliance with a local institution to continue the processes of productive capacity strengthening and will receive methodological transfer from [UNDP’s digital technology platform].” In Putumayo, the project area coincides with PUT-8 and Platanillo where GeoPark was seeking to advance seismic testing and licensing processes.

36. The partnership with GeoPark was eventually formulated to have three main components relating primarily to local capacity building: facilitating local post-pandemic development planning; assisting small businesses to implement digital strategies; supporting producer associations with a network of community markets; and boosting business capacity of local organizations.
37. The economic reactivation activities contemplated under the project had the potential to deliver needed benefits for communities facing high rates of poverty, in line with UNDP's strategic priorities.
38. GeoPark was to be involved in assessing and selecting project partners and beneficiaries.³³

GeoPark

39. GeoPark Colombia is a subsidiary of GeoPark Limited, a Latin American oil and gas company founded in 2002 and headquartered in Chile, with operations in Colombia and other locations in South America.³⁴ The company's motto is "creating value and giving back", and the Environmental Social and Governance (ESG) section of its website states that it has "superior" performance on ESG issues.³⁵
40. GeoPark Colombia secured a license to operate in Casanare and Meta in 2012.³⁶ The company's Casanare operations have been the subject of multiple public protests regarding alleged environmental and social impacts, including labor practices, in 2014 and 2019.³⁷ Geopark denies any involvement in environmental or human rights violations.³⁸
41. GeoPark has also been the subject of other significant environmental and social controversies in South America, particularly around its efforts to advance oil exploration activities in Peru.
42. GeoPark has been the object of high profile international campaigns led by indigenous communities, namely the Achuar People and the Wampis Nation, which claimed that

³³ The logic of the Private Sector Project was to execute activities in different companies' areas of operation or influence. For the GeoPark Project, GeoPark proposed specific municipalities neighboring their operations. See Project Concept Note and PAC summary as well as email communications between UNDP and GeoPark. The project Steering Committee, which consisted of one representative of UNDP and one representative of GeoPark had the authority to orient the project toward the achievement of its objectives, and to make recommendations and take corrective actions where necessary.

³⁴ GeoPark operations are in Colombia, Ecuador, Chile, Brazil, and, until recently, Argentina and Perú.

³⁵ GeoPark, Speed, [Our ESG](#).

³⁶ GeoPark secured a license for the Llanos-34 oil production block in Meta and Casanare in 2012.

³⁷ See Prensa Libre Casanare, [Comunidades responsabilizan a la industria petrolera de deterioro de puentes en Tauramena y Trinidad](#), 23 April 2012; Prensa Libre Casanare, [Esmad atacó a comunidades del sur de Tauramena en defensa de petrolera Geopark](#), 27 December 2012; Violeta Casanare, [Comunidad y gremios en Villanueva marchan hoy en protesta a la empresa Geopark](#), 17 January 2019.

³⁸ See e.g. GeoPark comments to draft investigation report referenced in the [Comments Matrix](#); GeoPark, [Letter in response to UN Working Group on Business and Human Rights and others regarding partnership with UNDP](#), 7 December 2021.

GeoPark's oil exploration plans for Block 64 in the Peruvian Amazon ignored longstanding opposition by indigenous groups.³⁹ The concession has also been the subject of lawsuits against the government alleging lack of prior informed consultation.⁴⁰ Peruvian and international indigenous, environmental, and human rights groups have publicly questioned GeoPark's relationship with Peru's armed forces and identified the company as "responsible for dangerous divide and conquer strategies" fomenting division among indigenous groups⁴¹ Indigenous groups filed a criminal suit against GeoPark in June of 2020 for allegedly "putting at risk the Wampis of Morona population during the Covid-19 health emergency."⁴² In July 2020, GeoPark withdrew its license for Block 64.⁴³

43. The company has been cited by legal authorities in Chile and Brazil for allegedly initiating fracking activities without necessary permits and procedures.⁴⁴

GeoPark's Acquisition of Amerisur and Operations in Putumayo

44. GeoPark has been operating in Colombia since 2012. It first established a presence in Putumayo in January 2020, when it acquired the UK-based oil and gas firm Amerisur Resources PLC (herein Amerisur).⁴⁵ Since the acquisition, Amerisur has operated as a fully-owned subsidiary of GeoPark.

45. Amerisur had been operating in Putumayo since 2009 through its subsidiary Amerisur Colombia. As detailed below, these operations have been the subject of complaints from

³⁹ Mongabay News, [Peruvian Indigenous groups thwart oil drilling in their territory — for now](#), 30 October 2020.

⁴⁰ Reuters, [Indigenous groups in Perú are suing government over oil, mining plans - and winning](#), 27 June 2019; Intercontinental Cry, [Geopark withdraws its request for a drilling permit in the Amazon](#), 25 June 2019; In late 2019, USAID cut ties with GeoPark over its actions in Perú and the opposition of indigenous groups, including the Siona, Amazon Watch, [#AdiosGeoPark: Peruvian Indigenous Peoples Expel Another Oil Company](#), 21 July 2020.

⁴¹ See Earth Rights International, [Empresa petrolera Geopark cuestionada por su relación con las fuerzas armadas del Perú](#); EarthRights International, Letter - Observación al Estudio de Impacto Ambiental detallado del Proyecto de Desarrollo del Área Noroeste (Situche Central) del Lote 64, contenido en Expediente – H- EIAD- 00156- 2018, del Sub Sector Hidrocarburos; 18 December 2018; Centro de Políticas Públicas y Derechos Humanos-Equidad, [El lote 64 un mundo de conflictos](#), February 2019; Intercontinental Cry, [Geopark withdraws its request for a drilling permit in the Amazon](#), 25 June 2019; Amazon Watch, [GeoPark Fomenting Social Conflicts in Peru's Amazon](#), 6 March 2019; Centro de Políticas Públicas y Derechos Humanos-Equidad, [The limits of self-regulation and soft law in Business and Human Rights from a victims perspective](#); October 2019.

⁴² Nacion Wampis, [GTANW denunció penalmente a funcionarios de GeoPark](#), 1 June 2020; Forest Peoples Programme, Peru: [Wampis Nation files a complaint against oil company GeoPark for increasing risks of COVID-19](#), 3 June 2020.

⁴³ Forest Peoples Program, [GeoPark withdraws from Wampis and Achuar territories in the Peruvian Amazon, but annulment of Lot 64 remains pending](#), 20 July 2020.

⁴⁴ See for Chile example, Reuters, [Chile environmental watchdog investigates GeoPark for illegal fracking](#), 3 June 2016; Brazil example found in RepRisk GeoPark incident report citing July 2016 action of General Prosecutors office in Brazil "Fracking contracts in Brazil suspended due to environmental and social risks".

⁴⁵ The acquisition was announced as early as November 2019. GeoPark acquired 100% ownership of Amerisur Resources PLC, whose name was later changed to Amerisur Resources Ltd. With the Amerisur purchase, GeoPark became the third largest oil operator in Colombia. It acquired 13 production, development and exploration blocks in Colombia, including 12 blocks in Putumayo, as well as the Amerisur Binational Pipeline (Oleoducto Binacional Amerisur) which transports oil from Colombia to Ecuador. Business Wire, [GeoPark Announces Closing of Amerisur Acquisition](#), 16 January 2020.

the Siona of Buenavista and Perla Amazónica communities. Amerisur denies any involvement in environmental or human rights violations.⁴⁶

46. Prior to the acquisition being finalized, the Siona of Buenavista issued a “Public Statement of Warning” that GeoPark’s acquisition of Amerisur “includes the obligations and liabilities for serious violations of human rights, socio-environmental damages and other impacts pending restitution for the Siona people caused by Amerisur.”⁴⁷
47. GeoPark’s 2020 public filing to the US Securities and Exchange Commission indicated that its acquisition of Amerisur came with “significant costs related to biodiversity management and reputational risk due to overlapping claims of rightful ownership.”⁴⁸ The filing specified that “[p]rolonged negotiations with indigenous communities and affected communities more generally, could draw the attention of international non-profit organizations and potentially result in social unrest, protests and blockades, which could provoke material cost overruns and impacts to our reputation.”
48. Since the acquisition, Amerisur is sometimes referred to as Nueva Amerisur (The New Amerisur). According to the company’s website, since the change in ownership, the company “has begun to raise their hydrocarbon oil exploration and production to the highest social and environmental operational standards.”⁴⁹

⁴⁶ See e.g. Amerisur Exploración Colombia, [Comunicado a la opinión pública](#), 22 September 2023; Amerisur Exploración Colombia, [La nueva Amerisur aclara información presentada en artículos de prensa](#), 2 April 2023; GeoPark, [Letter in response to UN Working Group on Business and Human Rights and others regarding partnership with UNDP](#), 7 December 2021.

⁴⁷ Amazon Frontlines, [Public statement of warning to oil company Geopark](#), December 2019.

⁴⁸ GeoPark, SEC Filings 2020, p. 27, available at [GeoPark - Financial Info - SEC Filings \(geo-park.com\)](#) as early as April 2020.

⁴⁹ Amerisur, [Acerca de la Nueva Amerisur](#).

Controversies and Concerns Related to Amerisur/GeoPark Activities in and around Siona Territory and the Perla Amazónica

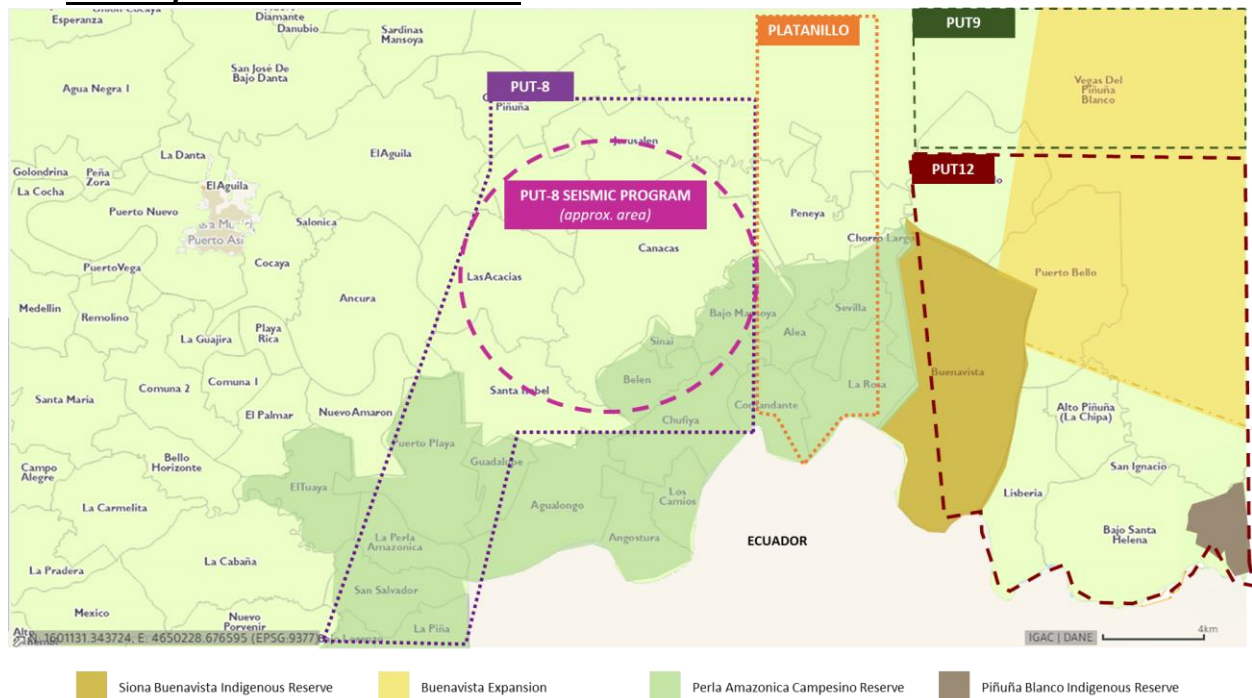


Figure 1. Map identifying the approximate borders of the Perla Amazónica and Siona Reserves, and relevant Amerisur/GeoPark oil concessions. [Elaboration by SECU, borders are approximate and indicative]

49. The public complaint by the Siona of Buenavista and ADISPA asserted that UNDP's alliance with GeoPark was entered into "without taking into consideration the defense and resistance against extractivism in the region, particularly against the Put-12, Put-8 and Platanillo Blocks whose ownership is held by the company Amerisur Colombia (today GEOPARK), which have generated environmental, territorial, social, cultural and spiritual impacts for indigenous and campesino communities which have been widely denounced..."
50. As noted above, Amerisur has had operations near the Buenavista Reserve and within the Perla Amazónica Reserve since 2009⁵⁰ Since that time, communities in the Perla Amazónica and the Buenavista Reserve have raised repeated complaints before government institutions and the courts regarding the social and environmental impacts of those operations on their territories and water sources. These complaints have also been documented publicly, including in major media outlets.

⁵⁰ The PUT-8 and Platanillo blocks overlap the Perla Amazónica territory and are located upstream from the Buenavista Reserve. Amerisur/GeoPark also operates Block PUT-12, which covers almost the entirety of the existing Buenavista Reserve, plus much of the 45,000 ha ancestral extension area presently under consideration for demarcation within the land reform process as well as Block PUT-9, which also overlaps this ancestral area. Amerisur's Binational Pipeline, which transports oil from Colombia across the Putumayo River to Ecuador, spans the Siona communities on both sides of the river.

51. Controversies and concerns around Amerisur's impacts have included alleged 1) failure to fulfill community commitments and consultation requirements, including the free prior and informed consent of indigenous peoples; 2) water and other environmental pollution and adverse health impacts; 3) adverse cultural impacts; 4) encroachment on indigenous land rights; and 5) escalation of conflict and security risks.

Community Consultation and Indigenous Rights to Free Prior and Informed Consultation

52. Public reports by news outlets, governmental bodies and human rights institutions have associated Amerisur with alleged violations of the Siona peoples' rights to free, prior and informed consultation. In one such consultation process – involving Amerisur's license for seismic testing and exploration of a concession area that overlaps the Siona of Buenavista as well as the Siona of Piñuña Blanco reserves – a 2017 governmental Interagency Verification Mission report described allegations of Amerisur unjustly pressuring communities.⁵¹ It stated, “according to community testimony from the Buenavista Reserve, following the conclusion of the consultation process, the Amerisur company, in bad faith pressured the community to change their initial decision.”⁵² The Verification Mission report also cited community reports of “threats against leaders and confinement of the community due to the presence of armed forces engaged in security activities in favor of the company”, and reports that “actions carried out by Amerisur officials have caused community division and fracturing that persists.”⁵³

53. Amerisur is also implicated in legal challenges in Ecuador regarding the 2016 construction of the Amerisur Binational Pipeline (Oleoducto Binacional Amerisur), which transits under the Putumayo River and connects to an Ecuadorian pipeline. The Siona community on the Ecuadorian side of the Putumayo River filed administrative complaints alleging that the construction of the pipeline caused “grave environmental and spiritual damage”, and was built without an environmental impact statement or approved environmental license, and without prior consultation.⁵⁴ Ecuador's national human rights institution – the Defensoría del Pueblo or Ombuds Office – concluded that Amerisur “violated collective rights [of the Siona of San Jose de Wisuya] relating to free, prior and informed consultation, to land and ancestral possession, of nature and to a healthy environment, and to cultural identity”⁵⁵

⁵¹ The concession is known as PUT-12.

⁵² Ministerio del Interior et al., [Informe Interinstitucional de la visita de verificación al resguardo indígena Buena Vista del pueblo Ziobain \(Siona\)](#), 27 July 2017.

⁵³ Ibid - “According to what the community has reported, there have been violations of the right to Prior Consultation and Consent in the framework of the development of extractive activities in the Platanillo Block and PUT-12.” In 2016, the Siona of Buenavista rejected the presence of or any dialogue with Amerisur/GeoPark. See Resguardo Siona Buenavista, Resolución 001, 21 April 2016 and Resguardo Siona Buenavista, Resolución 002, 2016.

⁵⁴ See Amazon frontlines, [“We Began This A Long Time Ago”: Survival and Resistance among the Siona of Putumayo](#), May 2018. See also Mongabay News, [In Ecuador, a pipeline cuts a trail of misery through indigenous land](#), 9 August 2018; BN Americas, [Amerisur readies Colombia-Ecuador pipeline](#), 18 February 2016.

⁵⁵ See Defensoría del Pueblo Ecuador, Resolución N.º 003-DPE-DNDCNA-2018-MP, 24 August 2018, p.56.

54. ADISPA is recognized under Colombian law as the legal representative for the Perla Amazónica, and is required to be consulted on matters regarding its development.⁵⁶ Public statements by ADISPA and civil society organizations, however, allege that Amerisur has disregarded ADISPA's authority in its efforts to advance oil operations in the Perla Amazónica, including during the construction of Amerisur's Binational Pipeline in 2016.⁵⁷
55. GeoPark states that the prior consultation processes with both the Siona of Buenavista and the Siona of Piñuña Blanco reserves "complies with all national and international standards".⁵⁸

Environmental Pollution and Health Impacts

56. The InterAmerican Commission on Human Rights, a governmental InterAgency Verification Mission, and major news outlets have documented reports of adverse environmental impacts from Amerisur's operations, including from oil spills and reinjection of wastewater into water bodies.⁵⁹ Neighboring communities have publicly complained of serious adverse health impacts, including skin rashes⁶⁰
57. Amerisur's alleged environmental impacts are also the subject of litigation, including an ongoing 2016 class action suit by families in the Perla Amazónica against various Colombian environmental authorities demanding the suspension of Amerisur's operations in the Platanillo Block due to environmental damage.⁶¹ Perla Amazónica communities also filed suit against Amerisur in the United Kingdom in December 2019, regarding a major spill that

⁵⁶ Campesino Reserve Zones have been established under Colombian law since 1994 as a means of rural land use zoning. The Campesino Reserve Zones facilitate land use planning to promote rural smallholder farming, protect the environment and prevent land concentration. The Sustainable Development Plans created by the reserves are formally recognized by Colombian authorities and according to Law 160 of 1994, communities will participate in the identification, design, and financing of development plans for their region through Rural Development Municipal Councils or equivalent participatory bodies. See Ley 160 de 1994 establishing the *Campesino* Reserve Zones, Resolución 069 de 2001 establishing the Perla Amazónica Reserve (initially named Zona de Reserva Campesina Bajo Cuembi-Comandante), Acuerdo N° 309 de 2013 INCODER recognizing ADISPA as legal representative of the Zona Perla Amazónica and Decreto 1777 de 1996 that indicates the management of Zonas de Reserva Campesina - Diario Oficial de Colombia, [Decreto 1777 de 1996](#), 4 Octubre 1996.

⁵⁷ See e.g., Comisión Intereclesial de Justicia y Paz, [Amerisur destruye el ambiente y genera zozobra en comunidades](#), 22 February 2016.

⁵⁸ GeoPark, [Letter responding to UN Special Rapporteurs on Human and Indigenous Rights](#), 7 December 2021,

⁵⁹ See e.g., Comisión Interamericana de Derechos Humanos, [Medida Cautelar no. 204-17](#), 3 December 2018; Ministerio del Interior et. Al., [Informe Interinstitucional de la visita de verificación al resguardo indígena Buena Vista del pueblo Ziobain \(Siona\)](#), 27 July 2017; The Guardian, [Colombian tribe calls for action on alleged effects of UK oil firm](#), 22 February 2019; [Disputas de Tierra Ante la Justicia, La larga lucha de los Siona en defensa de su territorio ancestral](#). The company has also been fined for improper wastewater disposal. Cuestión Pública, [Jani cuida a las aguas de los peligros del petróleo y a su gente de la pandemia](#), 16 September 2020; Comisión Intereclesial de Justicia y Paz, [Informe de Verificación Derrame Fuel Oil](#), 3 July 2020; [Comisión Intereclesial de Justicia y Paz, Amerisur se raja en derechos ambientales por explotación en ZRC Perla Amazónica, 2 November 2014](#).

⁶⁰ See e.g., Contagio Radio, [600 personas se movilizan en Putumayo contra petrolera Amerisur](#), 24 February 2016; Tierra de Resistentes, [The defense of water is costing Putumayo's peasants their lives](#), 22 April 2020.

⁶¹ Cundinamarca Tribunal, [Acción Popular](#), 15 December 2016; Amazon Watch, [Risk Alert: Geopark](#), May 2022.

occurred June 2015, allegedly contaminating waterways and wetlands critical for the communities' water supply.⁶²

58. With regard to allegations of environmental contamination, the company states that GeoPark/Amerisur has not made any discharges into surface water since 2013 and cites a communication from the Colombian environmental licensing agency from April 23, 2019 indicating that the discharges of treated waste water in the Mansoyá and Putumayo Rivers were duly authorized, and that in a site visit in March of 2018, the agency did not identify "impacts in water bodies, soil or vegetation" in the area analyzed.⁶³ The company states that all its exploration activities have been "in compliance with licenses of the regional environmental authority (CORPOAMAZONIA) and its monitoring and verification of compliance."⁶⁴

Cultural Impacts

59. The InterAgency Verification Mission and news outlets have documented claims by the Siona of Buenavista that the noise pollution from Amerisur's oil platforms, especially at night, has a major cultural impact on the community, negatively impacting the ceremonial processes underlying the Siona's social and political organization.⁶⁵

60. In 2018, Ecuador's national human rights Ombuds Office implicated the construction of the Amerisur Binational Pipeline as a cause of the sickness and eventual death of Luis Felinto Piaguaje Yaiguaje, a revered Siona spiritual leader and oral historian. The Ombuds Office stated that the leader's health deteriorated "as a result of the damages caused by the operations of the companies Petroamazonas EP and Amerisur PLC, carried out without prior consultation or environmental license, on the community's territory," noting in particular, the destruction of the sacred spiritual house of the community and the water source used for traditional healing practices.⁶⁶

Indigenous Land Rights

61. Amerisur's licenses overlap both the existing recognized Buenavista Reserve as well as other Siona ancestral territory presently under consideration by land claim courts for formal

⁶² The suit was settled October 2023 for an undisclosed monetary payment. See Leigh Day, [Legal case between Amerisur Resources Ltd and Colombia campesinos settled](#), 3 October 2023; Leigh Day, [Preliminary issues trial in campesinos' case against oil company Amerisur](#), 5 July 2022; Comisión Intereclesial de Justicia y Paz, [¿La Nueva Amerisur?: petrolera es señalada de contaminación y daños a la salud por pueblo Siona](#), 25 March 2022.

⁶³ GeoPark, [Letter responding to UN Special Rapporteurs on Human and Indigenous Rights](#), 7 December 2021.

⁶⁴ Ibid.

⁶⁵ Ministerio del Interior et al., [Informe Interinstitucional de la visita de verificación al resguardo indígena Buena Vista del pueblo Ziobain \(Siona\)](#), 27 July 2017; see also Democracia Abierta, [Los indígenas Siona piden silencio para sus rituales de yagé. Se sienten "perturbados"](#), 3 July 2023.

⁶⁶ Defensoría del Pueblo Ecuador, [Defensoría del pueblo de Ecuador ante fallecimiento de Luis Felinto Piaguaje Yaiguaje, "Taita Siona" de la comunidad San José de Wisuya](#), 30 October 2018.

recognition.⁶⁷ In August 2018, the First Civil Court of Mocoa, in response to a precautionary measure request from the Siona of Buenavista, ordered Amerisur to refrain from any exploratory activity within the claimed ancestral territory.⁶⁸

62. The Siona of Piñuña Blanco, another partner in the Sustainable Amazon Project, have alleged that in 2018, Amerisur placed seismic detonation lines within their ancestral territory prompting the community to file an injunction.⁶⁹ In August 2019, a Colombian court ruled in favor of the reserve, suspending Amerisur's seismic activities in PUT-12.⁷⁰
63. GeoPark/Amerisur states that following the injunction by the Mocoa Court it ceased all activities in the area, and since February 2021 has been requesting the termination of the contract for PUT-12.⁷¹

Escalation of Conflict and Security Risks

64. Colombian courts, government agencies and news outlets have documented reports that Amerisur's exploration activities have been accompanied by an escalation of conflict in Siona territory, involving public armed forces and illegal armed groups.⁷² In 2018, a Colombian land claim court, in its grant of precautionary measures to the Siona of Buenavista and Piñuña Blanco, noted that according to the petitioners, threats against the community and confrontations intensified following oil extraction by Ecopetrol and Amerisur, and that "it is precisely because of the presence of the latter that the public armed forces and the FARC guerilla group began an armed offensive directed against each other..."⁷³
65. That same year, the Inter-American Commission on Human Rights (IACHR) granted precautionary measures in favor of the authorities and members of the Buenavista and Piñuña Blanco reservations, whom it found facing a "grave and urgent" risk to life and

⁶⁷ In 2018, the Siona of Buenavista filed a claim through a land restitution court to integrate 52,000 hectares of ancestral territory into the Buenavista Reserve.

⁶⁸ Civil Court Mocoa, [Medida Cautelar Buenavista Auto 00531](#), 21 August 2018.

⁶⁹ Association of Siona Councils, Resguardo Piñuña Blanco, and the Resguardo Siona Buenavista, [Denuncia Pública](#), 26 June 2019; Resguardo Siona Buenavista, [Alerta temprana Resolución No. 45](#), 26 June 2019; Tierra de Resistentes, [The Siona Governors and Their Disputed Territory](#), 22 April 2020.

⁷⁰ See Cundinamarca Court, [Ruling regarding oil exploration in Resguardo Siona](#), 22 August 2019.

⁷¹ See Amerisur Exploración Colombia, [La nueva Amerisur reitera su respeto a los derechos de las comunidades indígenas y a las disposiciones de las autoridades](#), 27 November, 2020.

⁷² See e.g., Ministerio del Interior et. Al., [Informe Interinstitucional de la visita de verificación al resguardo indígena Buena Vista del pueblo Ziobain \(Siona\)](#), 27 July 2017; Resguardo Indígena Siona Buenavista, [Alerta Temprana: Amerisur Exploracion Colombia vulnera derechos territoriales y colectivos del Pueblo Siona del Resguardo Buenavista](#), 24 August 2018; Civil Court Mocoa, Auto 00531, 21 August 2018; The Guardian, ['The war goes on': one tribe caught up in Colombia's armed conflict](#), 27 June 2018; Working Group on the issue of human rights and transnational corporations and other business enterprises, [Letter to UNDP Administrator](#), 13 October 2021.

⁷³ Mocoa Court, [Precautionary measures for Resguardo Indígena Siona Buenavista](#), 21 August 2018.

personal integrity due to threats and attacks by armed groups.⁷⁴ Major national and international human rights groups have joined the Siona in identifying petroleum activities as “underlying factors of the internal armed conflict” and have criticized the government for alleged failure to defend against “constant pressure” by Amerisur.⁷⁵

66. In December 2018, the Inter-American Commission on Human Rights also issued precautionary measures to protect three ADISPA leaders and members, in response to a petition citing alleged security threats and impacts of extractive operations carried out in the Platanillo block, which overlaps the Perla Amazónica and is operated by Amerisur.⁷⁶ Government institutions and human rights groups have issued documents describing how ADISPA’s efforts to monitor and denounce Amerisur’s impacts and to promote alternative sustainable development activities including coca substitution, have been met with violent threats, attacks, and stigmatization.⁷⁷

67. Colombian officials and investigative media outlets have also raised concerns regarding agreements between Amerisur and the Colombian armed forces.⁷⁸

68. GeoPark states that the conflictivity in the area predates the arrival of Amerisur, that “respect for the law and for human rights was a fundamental pillar in the development of Amerisur’s operations”, and that the company “undertook human rights due diligence in order to operate respecting international and local law.”⁷⁹ Regarding agreements with the armed forces, GeoPark states that both its existing agreements and Amerisur’s earlier agreements for “cooperation in the protection of people and infrastructure in Putumayo...explicitly incorporate the [UN] Voluntary Principles on Security and Human

⁷⁴ Comisión Interamericana de Derechos Humanos, [Resolución 53-2018 para las autoridades y miembros de los Resguardos Buenavista y Piñuña Blanco del Pueblo Indígena Siona respecto de Colombia](#), 14 July 2018.

⁷⁵ Resguardo Siona Buenavista, et al., [Denuncia Pública Gobierno Colombiano sigue omitiendo sus obligaciones con el Pueblo Siona de Buenavista y con la CIDH](#), 29 May 2019.

⁷⁶ The ruling cited alleged death threats, mobility restrictions, harassment, and limited access to drinking water, among other environmental and security impacts, putting at risk these individuals’ rights to life and personal integrity. “[The Commission takes note that the petitioner reported on an alleged general situation of conflict due to alleged environmental impacts resulting from exploratory activities in the hydrocarbons sector that would overlap with the ZRC, together with a series of shortcomings and questions regarding such activities for the control of possible spills in the area \(see supra 5-6\); as well as the alleged presence and actions of armed groups in certain communities of the ZRC \(see supra 7\).](#)” - OAS, [Resolution No. 87/18 PM 204-17 - Jani Silva, Hugo Miramar and Saúl Luna \(Leaders of the Perla Amazónica Peasant Reserve Zone\)](#), 3 December 2018.

⁷⁷ See Centro Nacional de Memoria Histórica, [Petróleo, coca, despojo territorial y organización social en Putumayo](#), November 2015; Comisión Intereclesial de Justicia y Paz, [Letter to Colombian Authorities](#), 23 November 2016; PBI Colombia, [A born leader](#), 24 September 2020. SECU heard from interviews that the threats and attacks against ADISPA forced the organization to suspend community organizing activities, and various leaders within the Perla Amazónica were forced to abandon the organizing processes out of fear, substantially weakening the ADISPA organization.

⁷⁸ See e.g. Working Group on the issue of human rights and transnational corporations and other business enterprises, [Letter to UNDP Administrator](#), 13 October 2021. See Presentation - Ivan Cepeda Castro, [Presentation to Colombian Senate’s Second Committee: Convenios entre empresas del sector minero-energético y fuerza pública](#), 3 November 2015; Convenios de Fuerza y Justicia, [Petroleras y mineras financian a la fuerza pública y a la fiscalía](#), 24 July 2019; Ministerio de Defensa Nacional, [Acta de liquidación de convenio de colaboración Ejército – Amerisur](#), 3 October 2016; and Convenios de Fuerza y Justicia, [Convenio 07-2015](#), December 2015; and Cuestión Pública and Mongabay Latam, [La nueva Amerisur?: petrolera es señalada de contaminación y daños a la salud por pueblo Siona](#), 22 March 2022.

⁷⁹ GeoPark, [Letter responding to UN Special Rapporteurs on Human and Indigenous Rights](#), 7 December 2021.

Rights and the full compliance with legal mandates and constitutions in terms of human rights and international humanitarian law.”⁸⁰

Security Threats Arise During Private Sector Project Appraisal and Preparation with Alleged Links to GeoPark/Amerisur

69. During 2020, the Private Sector Project was going through appraisal and preparation at the same time as the security situation in the Private Sector Project area in Putumayo continued to sharply deteriorate amid the pandemic lockdown. As publicly documented by human rights groups, Putumayo experienced a surge in “selective violence against those who support peace, denounce the fighting for territorial control by illegal armed groups, and oppose the interests of narcotrafficking and the extractives sector.”⁸¹
70. The security situation directly affected the implementation of the Sustainable Amazon Project. For instance, human rights groups publicly reported that leadership of Sustainable Amazon Project partner ADISPA was the target of an assassination plan by the armed group “La Mafia” who reportedly stated opposition to their advocacy work.⁸²
71. At the same time, GeoPark was working to secure community acceptance for its seismic acquisition in PUT-8, which coincides geographically with a significant part of the Private Sector Project area as well as the Perla Amazónica.⁸³
72. Both before and during the process of socialization for the seismic acquisition, significant controversies and concerns arose in the Private Sector Project area, related to GeoPark/Amerisur.⁸⁴
73. In September of 2020, ADISPA publicly denounced GeoPark/Amerisur for allegedly ignoring their legal authority regarding development in the Perla Amazónica, and instead attempting to negotiate directly with individual Perla Amazónica communities to advance the seismic acquisition.⁸⁵

⁸⁰Ibid.

⁸¹ See Comisión Colombiana de Juristas, [Patrones en las violaciones a los derechos de los líderes, lideresas sociales, personas defensoras, ex guerrilleros, pueblos indígenas y comunidades campesinas en el departamento de Putumayo](#), 2020; see also Defensoría del Pueblo Colombia, [Early warning due to the security situation in Piñuña Blanco, Puerto Asís, Putumayo department](#), 26 September 2019; Red de Derechos Humanos en Putumayo, Piamonte Cauca, Cofania Jaridnes de Sucumbios, [Informamos – La ola de asesinatos en Putumayo no para](#), 30 March 2020.

⁸² See Comisión Intereclesial de Justicia y Paz, [Risk of attack against Jani Silva, Community leader in Putumayo-Colombia](#), 26 March 2020; Comisión Intereclesial de Justicia y Paz, [Nuevos planes para atentar contra lideresa Jani Silva](#), 2 July 2020.

⁸³ See e.g., Amerisur Exploración Colombia, [La nueva Amerisur promueve espacios de diálogo respetuoso con todos los actores del territorio](#), 21 October 2020.

⁸⁴ See e.g., Amerisur Exploración Colombia, [La nueva Amerisur cumple compromisos exploratorios adquiridos con el Estado colombiano en PUT-8, con pleno respeto de la ley y de los derechos humanos de las comunidades, y rechaza categóricamente denuncias infundadas](#), 24 December 2020.

⁸⁵ See e.g., Comisión Intereclesial de Justicia y Paz, [Amerisur destruye el ambiente y genera zozobra en comunidades](#), 22 February 2016; Comisión Intereclesial de Justicia y Paz, [Acciones de la Nueva Amerisur persisten en la negación de la figura de ZRC y de ADISPA como organización dinamizadora del territorio](#), 30 September 2020; Amerisur Exploración Colombia, [La nueva Amerisur promueve espacios de diálogo respetuoso con todos los actores del territorio](#), 21 October 2020.

74. In November of 2020, Perla Amazónica community members informed UNDP’s Sustainable Amazon Project team of aggression and intimidation from an armed group against ADISPA. They also told the Sustainable Amazon team that the armed group informed local Community Councils of its intention to facilitate GeoPark/Amerisur’s seismic testing in the area, which had been suspended due to ADISPA’s community organizing and environmental complaints.⁸⁶
75. In response, the Sustainable Amazon Project team worked to accompany ADISPA and channel the reports of security threats to relevant national and international human rights offices. On December 10, 2020, Sustainable Amazon staff met with the UN Verification Mission and UN High Commissioner for Human Rights office regarding the threats against social leaders within ADISPA.
76. At the end of December 2020, the Sustainable Amazon team was informed by Perla Amazónica community members of direct threats by an armed actor against the leadership council of ADISPA as well as several Community Councils.
77. Between December 2020 and February 2021, repeated community reports of fliers identifying ADISPA as a military target, and statements by armed actors that they were receiving financing from Amerisur and threatening those who opposed the company’s exploration activities in Putumayo, were documented in public alerts by the Interfaith Justice and Peace Commission, and echoed in the media.⁸⁷
78. The allegations were later echoed in a July 2021 “Alert” from the Colombian national human rights institution – the Defensoría del Pueblo or Ombuds Office – which warned that petroleum activities and infrastructure in Putumayo (principally that of Amerisur and Gran Tierra Energy Colombia) were being utilized by armed groups as a source of financing and

⁸⁶ In Colombia, municipalities are composed of smaller hamlets, known as *veredas*. *Veredas* are represented by Community Councils (Juntas de Acción Comunal); in some cases, the precise boundaries of these *veredas* are not well-documented. These Community Councils are elected civic and social organizations dedicated to the organization of community public works and services.

⁸⁷ See e.g., Comisión Intereclesial de Justicia y Paz, [En riesgo vida de lideresa Sandra Lagos y otros integrantes de ADISPA por difamaciones de Comandos de la Frontera](#), 5 December 2020; Comisión Intereclesial de Justicia y Paz, [Petrolera habría pagado a grupo armado para asegurar su operación extractiva](#), December 2020 - “During the last two weeks the campesinos have been called to meetings by Border Commandos...According to the testimonies of the displaced persons...members of the Border Commandos, dressed in camouflage and with long weapons, expressed that no one can oppose the seismic process carried out by the company Nueva Amerisur within the operations of Put 8. One of the armed groups affirms, “we have already negotiated directly with the company, and we are going to ensure the operation in the area.” They added that they were very upset with the complaints and demands for environmental protection made by the Perla Amazónica Peasant Reserve Zone, ZRCPA. They added in the various meetings that they were going to do everything possible to do away with the Campesino Reserve Zone.”; El Espectador, [Paramilitares amenazan con liquidar la zona de reserva campesina Perla Amazónica en Putumayo](#), 11 February 2021; Comisión Intereclesial de Justicia y Paz, [Paramilitares ordenan disolver la Zona de Reserva Campesina Perla Amazónica](#), 10 February 2021; see also Investigative outlet Cuestión Pública citing “Four independent sources consulted by Cuestión Pública, who requested confidentiality for security reasons, confirmed an alliance between Amerisur and illegal armed actors, specifically with the ‘Comandos de la Frontera.’” – Cuestión Pública and Mongabay Latam, [La nueva Amerisur?: petrolera es señalada de contaminación y daños a la salud por pueblo Siona](#), 22 March 2022.

leverage.⁸⁸ The alert also flagged, “alleged pressuring of communities by illegal armed actors like La Mafia, now known as Comandos de la Frontera, apparently in order to facilitate activities of the petroleum economy, especially within the Perla Amazónica Campesino Reserve.” The Ombuds office noted, with particular concern, selective killings directed against leaders and human rights defenders.⁸⁹

79. On February 16, 2021, Sustainable Amazon Project staff raised the security situation in Putumayo with the CO Resident Representative and a mission was conducted by the UN security unit February 19 to assess security risks. Sustainable Amazon project activities with ADISPA were adjusted to minimize project participants’ exposure to security risks. Despite this, security issues forced the suspension of project activities for several months.
80. GeoPark/Amerisur denies any connection with illegal armed groups.⁹⁰ GeoPark states that it has never had any relationship with illegal armed groups and “demands the same of its employees and its supply chain”, including by incorporating human rights clauses in its contracts with contractors and service suppliers that “prohibit relationships and financing of illegal groups.”⁹¹ GeoPark states that it “undertook a process of due diligence prior to the acquisition of the Putumayo blocks and Amerisur in which it verified legal compliance of the operations including review of any claims of financing of terrorist groups...”⁹² Amerisur states that it has “on repeated occasions repudiated any threat against the life, dignity and integrity of human rights defenders, social leaders, and continues to demand that the competent authorities of Colombia and Putumayo adopt effective measures to protect those who carry out this work.”⁹³

Screening and Appraisal of the Private Sector Project - Due Diligence Assessment of GeoPark

81. Under UNDP’s Policy on Due Diligence and Partnerships with the Private Sector (2013), as part of project screening and appraisal, Country Offices are required to conduct due diligence assessments of potential private sector partners, utilizing a Risk Assessment Tool

⁸⁸ The Colombian Ombuds Office or Defensoría del Pueblo is Colombia’s national human rights institution, the autonomous public institution of the national government charged with promoting human rights in the country. The alert highlights how armed groups control the areas of petroleum exploration and production and how oil development facilitates their access to roads and services, and provides an economic resource through extraction of bribes or illegal payments and the ability to pressure businesses and workers throughout the supply chain. “The map below illustrates the main routes of control of the illegal armed groups identified by this Office. Note that they converge and make possible the access and control of the illegal armed structures over the areas subject to hydrocarbon exploration and production, an activity that provides road and service infrastructure, facilitates the obtaining of economic exactions, and the pressure on transporters, traders and workers associated to this activity.” Defensoría del Pueblo Colombia, [Alerta Temprana N° 013-2021 Defensoría del Pueblo](#), 1 July 2021.

⁸⁹ Defensoría del Pueblo Colombia, [Alerta Temprana N° 013-2021 Defensoría del Pueblo](#), 1 July 2021.

⁹⁰ GeoPark, [Letter responding to UN Special Rapporteurs on Human and Indigenous Rights](#), 7 December 2021.

⁹¹ Amerisur Exploración Colombia, [GeoPark rechaza señalamientos sobre presuntos vínculos con grupos ilegales y afectaciones al medioambiente de su filial la nueva Amerisur](#), 24 March 2022; GeoPark, [Letter responding to UN Special Rapporteurs on Human and Indigenous Rights](#), 7 December 2021.

⁹² GeoPark, [Letter responding to UN Special Rapporteurs on Human and Indigenous Rights](#), 7 December 2021.

⁹³ Amerisur Exploración Colombia, [La nueva Amerisur rechaza acusaciones y reitera el pleno respeto por la ley y los derechos humanos](#), 26 April 2021.

(RAT) to assess Exclusionary Criteria, controversies, commitment to ESG issues, and risks and benefits of the proposed partnership.

82. Due diligence should examine the potential private sector partner's full value chain for issues of exclusion and controversies, including exposure through "its *subsidiaries*, parent companies, and distributors or suppliers" [emphasis added].⁹⁴
83. The CO due diligence assessment of GeoPark was largely repurposed from the assessment for GeoPark completed by the Colombia CO in February 2019 in the context of the Equipares Project, with updates added in November 2020.
84. The assessment was completed after GeoPark's January 2020 acquisition of Amerisur. The CO was aware of this acquisition at least in part because the company referred to itself as "GeoPark/Amerisur" or "Nueva Amerisur" during UNDP's negotiations with GeoPark, and because GeoPark's presence in Putumayo began only through its acquisition of Amerisur. The CO did not include assessment information relating directly to Amerisur's activities.⁹⁵ There were a few indirect references to Amerisur through links to articles and announcements that covered GeoPark's acquisition of Amerisur, and in doing so referenced issues around Amerisur's liabilities.⁹⁶ The CO told SECU they did this because the project agreements were signed only with GeoPark. The CO reported to SECU a lack of clarity on how far due diligence research on multinational companies should go.
85. At the same time, the research included in the CO's RAT listed multiple articles or statements that referenced the acquisition of Amerisur and the resulting liability issues for GeoPark. GeoPark told SECU that they had various discussions with the CO regarding the local operating context, which included the allegations against Amerisur and relevant legal issues.

Assessment of Exclusionary Criteria

86. Under Exclusionary Criteria, the CO marked "no evidence" of "violation of human rights or complicity in human rights violations" in the RAT completed for GeoPark. Other options the CO could have selected included "evidence above threshold", "evidence within threshold" or "not known".

Assessment of Controversies

⁹⁴ See UNDP, Policy on Due Diligence and Partnerships with the Private Sector, 2013, Table 1 Exclusionary Criteria; See also UNDP, Guidelines for Risk Assessment Tool - Annex 1: High-Risk Sectors, March 2016, p. 6, 9.

⁹⁵ For instance, on August 13, 2020, the company sent a presentation to UNDP featuring the Amerisur logo and detailing the company's community activities in Putumayo. On March 8, 2021, GeoPark sent an email to UNDP with a database titled, "Questions Agreement UNDP -Nueva Amerisur".

⁹⁶ These included an article on the case against Amerisur in London courts, an article on the human rights and environmental impact of oil companies in Putumayo which names Amerisur, and the declaration by the Siona of Buenavista "warning" GeoPark that in the acquisition it would acquire Amerisur's liabilities.

87. The CO stated to SECU that it utilized internet searches, GeoPark’s website, the Sustainalytics database, the Business and Human Rights Resource Centre website, and major local and national communications sources for the due diligence review. During the PAC discussion it was suggested to also look at the RepRisk database. A review of the information available from a search of GeoPark and Amerisur from these sources at the time of the due diligence process provides most of the basic controversies described above, including land conflicts and alleged lack of consultation of indigenous groups in Peru, Colombia, and Ecuador; administrative actions over environmental impacts in Chile and Brazil; and protests and lawsuits regarding alleged environmental and social impacts in Colombia.
88. In addition to excluding controversies related to Amerisur, the CO also did not include relevant evidence of significant controversies related specifically to GeoPark. For instance, the section on “significant criticism from governmental agencies/political parties” was left blank and the “no evidence” box was checked. This is despite the fact that the CO did include under the section on “significant criticism from NGOs” evidence of “formal complaints by the [Chilean] Superintendency of the Environment for violating environmental regulations”.
89. The section on “global public events (e.g., significant demonstrations at several locations, significant online protests)” was left blank and the “no evidence” box was checked, despite the global campaign against GeoPark’s activities in Peru, including a 2019 protest at GeoPark headquarters.
90. Regarding “relevant legal cases”, the CO selected the “no evidence” box. The RAT identified an administrative case by the Chilean Superintendent of the Environment, adding that there was no evidence of a ruling against GeoPark. The RAT did not include a June 2020 request for injunction filed by the Wampis indigenous federation in Peru as well as the May 2020 criminal case against GeoPark for allegedly entering Wampis and Achuar territory without authorization during Covid.⁹⁷
91. The RAT as filled out by the CO did identify significant controversies in several areas. The RAT form checked off “evidence” of “significant criticism from local or global NGOs/media or other significant partners of UNDP”, listing reports of criticism from communities in Casanare regarding social and environmental practices, news reports related to allegations of environmental impacts and violation of autonomy of indigenous peoples in Peru, as well as three different issues related to Amerisur and GeoPark’s liability for Amerisur’s alleged social and environmental abuses in Putumayo.⁹⁸

⁹⁷ See Nacion Wampis, [Gobierno Territorial Autónomo de la Nación Wampis denunció penalmente a petrolera Geopark](#), 1 June 2020; Forest Peoples Programme, [Perú: Wampis Nation files a complaint against oil company GeoPark for increasing risks of COVID-19](#), 3 June 2020.

⁹⁸ In particular, a public statement by Siona of Buenavista on the intention of GeoPark to purchase Amerisur – Amazon Frontlines, [Public statement of warning to oil company Geopark](#), December 2019; A press release regarding the freezing of Amerisur assets in anticipation of the acquisition by GeoPark was also included – Business & Human Rights Resource Centre, [Colombia: Local communities secure financial protection from oil company Amerisur in case their legal claim over environmental harms against the firm succeeds](#), 10 January 2020.

92. It also identified “evidence” of “recurring local public events or demonstrations against the company”, citing repeated protests in Casanare over “environmental issues, criticism of labor practices, and local procurement” in addition to protests in Peru by indigenous communities.
93. Based on these findings, the CO checked off the yellow stoplight indicator for significant controversies. The CO did not escalate the due diligence decision around the GeoPark partnership to Headquarters as the form specified, and instead approved the partnership without conditions.⁹⁹
94. CO leadership explained to SECU that while controversies were identified, they were deemed manageable given the company’s social and environmental policies and strategies and community relations. The CO claims that the decision not to escalate was made according to UNDP policies and procedures.

Assessment of Partnership Risks

95. The RAT form poses questions related to assessing the potential risks of the proposed partnership to ensure that the partnership does not in any way compromise the integrity and independence of UNDP.
96. In terms of risks, the UNDP Colombia CO marked each of the following statements in the GeoPark RAT as true: “UNDP will not – and will not be perceived to – give any unfair advantage to one or more businesses within an industry, sector or market, neither is it perceived to have endorsed a particular business, product or service”; “the partnership will not have negative unintended consequences by distorting a market by giving one business or group of businesses an unfair advantage and/or by crowding out other economic actors”; and “the benefits to the company from the collaboration will not be disproportionately high compared to the public benefits or benefits to UNDP.”
97. According to GeoPark’s Communications Plan, the project was to involve the utilization of UNDP platforms to support a narrative regarding GeoPark’s commitment to the sustainable development of the project area.¹⁰⁰

⁹⁹ Neither GeoPark partnership – in the Equipares Project or the Private Sector Project – was escalated to headquarters.

¹⁰⁰ See e.g., GeoPark Communications plan presentation. The plan includes utilization of UNDP’s platforms and publicity resources to disseminate a central narrative through press releases, social media, videos and events: “We are allies of territorial development and our commitment is to work to contribute to the fulfillment of the sustainable development goals in the territories where we have operations.” The plan identifies the following objectives:

“1) Give visibility to the alliance between UNDP and GeoPark as a determined commitment to contribute to the sustainable development of Meta, Casanare and Putumayo, territories where GeoPark operates in Colombia, 2) Ensure that the work carried out jointly between UNDP and GeoPark is perceived as a benefit for the territory and the beneficiary communities, 3) Consolidate a network of ‘ambassadors’ of the alliance so that they are the ‘spokespersons’ and ‘protagonists’ of the process that is carried out in each one of the places of intervention – Testimonials.

98. As noted in minutes of a meeting of the project technical committee, the benefits to GeoPark included being positioned favorably in future development plans specifically in its priority areas for expansion.¹⁰¹

Assessment of Partnership Benefits

99. According to the Private Sector Due Diligence Policy, partnerships must show a clearly defined purpose as well as “the added value (additionality) of the partnership in advancing UNDP’s strategic priorities.” The RAT is utilized to assess the benefits of a potential partnership, stating that “the balance between expected risks and expected benefits must be in line with the risk tolerance of UNDP.”

100. In the GeoPark RAT, the CO identified potential benefits as “significant potential gains in terms of achieving one or more of UNDP’s strategic priorities”; “considerable potential for long-term engagement with the company, in which resources are contributed on significant scale, and there may be a significant outcome in terms of human development”; and “immediate results in the well-being of communities that are facing high rates of poverty and low human development”.

101. In the RAT project benefits analysis, the CO indicated that “[t]he company is among the most suitable partners available in the country context”.

102. According to the CO, an anticipated benefit was GeoPark’s knowledge of and relationships with neighboring communities. The RAT cites the fact that GeoPark was recognized by the National Hydrocarbons Agency and Ministry of Mines and Energy for its good management of situations of local community conflict.

103. Another anticipated benefit in the RAT was that “The partnership will create wider awareness of, and support for, UNDP and its causes from positive exposure and publicity surrounding the collaboration.”

Screening and Appraisal of the Private Sector Project - Social and Environmental Screening

104. Under UNDP’s Social and Environmental Standards (SES), the CO was required to screen the project for social and environmental risks utilizing UNDP’s Social and Environmental Screening Procedure (SESP).

¹⁰¹ “Finally, with the result of component 1, the company will have a real picture of how the territory is with regards to the SDGs and the gaps, which will allow the company to guide social investment in the future. This snapshot will help the social management and social investment model of the company, which is really where the dialogues and contributions with the territory will become more interesting with actors such as municipal mayors’ offices and the future construction of new Development Plans in each of the municipalities with which the company will have a long-term relationship.” – UNDP Colombia, Acta II Comité Técnico de inicio de alianza GeoPark – UNDP, 16 February 2021.

105. The Social and Environmental Screening (SESP) for the Private Sector Project, completed January 13th, 2021, was conducted on the umbrella Private Sector Agenda 2030 project, rather than the GeoPark-specific project activities or locations.¹⁰²

106. The country office explains that because the GeoPark project came up quickly in the midst of the pandemic lockdown and stretched capacities, the SESP for the specific GeoPark project was still to be completed at the time of project closure. The CO argues that while the SESP should have been updated before the PAC as a matter of best practice, the UNDP policy requirement was only that it be updated before the implementation of project activities, which the office argues had not yet occurred.

107. In terms of risk identification, the CO marked “NO” for the presence of every risk on the SESP risk checklist, including those related to human rights, discrimination or exclusion, conflict, gender equality, community health and security, and indigenous peoples. The project identifies only one social or environmental risk – that of not meeting the expectations of beneficiary populations – which is assessed as being of “moderate” significance.

108. In the SESP, the CO indicated that none of the individual social and environmental standards, including climate change and indigenous peoples, applied to the project.¹⁰³

109. The project was assigned an overall risk categorization of “low”.

Screening and Appraisal of the Private Sector Project - The Risk Log

110. The Risk Log for the Private Sector Project, similarly, was based on the umbrella project and did not include social or environmental risks.

111. However, it did state that the “identification of UNDP as an ally of the extractive sector at a time when there exists in Colombia a citizen movement against the Government’s extractive model” represented a “substantial risk” that could impact UNDP’s reputation. Accordingly, the project proposed to “[s]ystematically show that UNDP facilitates dialogue scenarios on implemented projects” and to “generate effective communication channels with stakeholders to identify the origin of the negative perception.”

Screening and Appraisal of the Private Sector Project and GeoPark Partnership: Project Appraisal Committee and Final Approval

¹⁰² UNDP Colombia, Social and Environmental Screening Procedure – Sector Privado y Agenda 2030, 13 January 2021. See Annex 10.

¹⁰³ SECU notes that there is an error in the official 2015 SESP template. While the form asks how the project incorporates SES Principle 3 on Environmental Sustainability, that principle is missing in the checkbox section of the form where the user is to identify which principles and standards apply.

112. The Private Sector Agenda 2030 Project was appraised through a Project Appraisal Committee (PAC) in December 2020.¹⁰⁴ Due to the pandemic lockdown, PAC members were not convened in-person. However, neither was a virtual meeting convened, instead, emails were exchanged among PAC members.
113. Appraisal documents included the following: The Prodoc, the Social and Environmental Screening Procedure (SESP), the Private Sector Partnership Due Diligence Risk Assessment Tool (RAT), the Risklog, and the Quality Assurance Screening.¹⁰⁵
114. The PAC summary contains a section on Assumptions and Risks, which includes four general risks for the private sector strategy that do not match the risks identified in the Risk Log or the SESP, with the exception of the risk that pandemic prevention, mitigation and contention measures could affect the implementation of proposed activities.
115. Under the heading “[o]ther important comments for the PAC:” the PAC Summary states, “[t]he RAT was approved previously given that this is a company that is connected with Equipares. The document was updated with recent information without finding substantial controversies.”
116. The PAC Summary indicates that while a question was raised regarding the verification of the GeoPark due diligence assessment, participants were informed that it was updated as per the main due diligence research platforms recommended by the guidelines.¹⁰⁶

Project Preparation - Stakeholder Identification and Analysis

117. The Private Sector Project documents describe project beneficiaries as vulnerable populations, organizations and entrepreneurs in rural and urban areas surrounding GeoPark operations. In Putumayo, key beneficiaries included Community Councils and rural producer associations.
118. The beneficiary population for the project included marginalized groups vulnerable to discrimination. The UN System Covid-19 Socioeconomic Response Plan for Colombia, for instance, cites rural populations, the poor, and rural producers participating in coca crop substitution programs as “at-risk populations that experience conditions of discrimination, a high degree of socioeconomic marginalization, and who require specific attention in the

¹⁰⁴ PAC minutes are dated December 1, 2020 and signed off on December 29, 2020. PAC members included UNDP management level staff and Colombian government representatives.

¹⁰⁵ It is not clear whether the Quality Assessment was shared with all PAC participants.

¹⁰⁶ “Please confirm that for the risk analysis the information of the company and its controversies were verified in RepRisk, Sustainalytics and in the main platforms recommended by the “Revised Guidelines on Cooperation between UNDP and the Private Sector” tool. Additionally, verify the previous risk analysis made to this company from the Equipares Project” The response is recorded as: “The construction of the Risk (sic) was based on the risk analysis of the Equipares Project. For its update, Sustainalytics was reviewed. It has been complemented by RepRisk, Sustainalytics and the main platforms recommended by the “Revised Guidelines on Cooperation between UNDP and the Private Sector.”

[pandemic] response.”¹⁰⁷ In addition, according to a 2019 report by the UN Special Rapporteur on the situation of human rights defenders, Community Council leaders in Colombia were among those human rights defenders most exposed to risk, along with social movement leaders and leaders of ethnic groups.¹⁰⁸

119. There is no evidence of a stakeholder analysis or engagement plan for the Private Sector Project. Instead, the Prodoc discusses in a few lines the “management of the project beneficiary populations” and a few activities for “securing their permanence and motivation.”

120. The CO stated to SECU that the Siona of Buenavista were not considered project stakeholders because the Buenavista Reserve was not within the “project area”. The CO stated that ADISPA was not a stakeholder because they were not a project beneficiary.

121. However, internal documents from March of 2021, show that certain civil society groups, namely ADISPA and the Interfaith Justice and Peace Commission, were informally identified as key stakeholders and their potential opposition to the project was noted. In a project document drafted by GeoPark and shared with UNDP, these groups are described as “potentially affecting the information collection process.”¹⁰⁹

122. In a separate document prepared by UNDP and shared with GeoPark, these two groups are described as “conflictive” toward the project.¹¹⁰ While this latter document recommended consulting with both organizations and noted that ADISPA is the decision-making authority in the Perla Amazónica, neither group was approached. The CO stated to SECU that the latter document was prepared by the local UNDP rural development technical team that supported the consultation process and was a draft.

¹⁰⁷ The UN System Covid-19 Socioeconomic Response Plan for Colombia also cites indigenous peoples, returning Colombians, excombatants, and victims of the armed conflict as among this list of marginalized groups. - UNDP Colombia, Plan de respuesta socio-económica frente a la pandemia de la COVID-19 en Colombia, 2020.

¹⁰⁸ UNOHCHR, [A/HRC/43/51/Add.1: Visit to Colombia - Report of the Special Rapporteur on the situation of human rights defenders](#), 26 December 2019.

¹⁰⁹ On March 8, 2021, GeoPark sent a database to UNDP with a characterization of the 24 veredas proposed for inclusion in the project, including responses to UNDP questions regarding the local context in each vereda. In the column with the question from UNDP, “any other external condition that could affect information collection?”, for 19 of the veredas, the response was “no”, for 4 of the veredas, the response was “ADISPA”, for one of the veredas, the response was the “Interfaith Justice and Peace Commission.” - UNDP Colombia, Preguntas Convenio PNUD, March 2021.

¹¹⁰ On March 19, 2021, the Private Sector Project team sent an email to GeoPark with a preliminary mapping of actors in Putumayo. The document included ADISPA and Interfaith Justice and Peace Commission and noted their respective work for sustainable development and human rights, as well as ADISPA’s opposition to petroleum activities. It identified ADISPA as “highly relevant” and “highly conflictive” and the Interfaith Justice and Peace Commission as “medium relevant” and “medium conflictive”. It recommended consulting with both organizations. For ADISPA, the document noted, “it is the highest authority in the area of influence of the [Zona Reserva Campesina] for decision-making at the organizational, political, economic, productive and environmental level.” It recommended to “[h]old conversations of concertation that allow strengthening relations and the execution of projects in the veredas that are part of the Campesino Reserve.” – UNDP Colombia, Matrices Anexo 1 y 2 12032021, March 2021.

123. During the PAC, government counterparts raised the issue of lack of engagement of beneficiaries in project design.¹¹¹ While there was some engagement with government counterparts on project design and risk identification as part of the PAC appraisal and approval, engagement with potential beneficiaries in Putumayo did not happen until a few weeks prior to the public project launch. There was no formal engagement with civil society stakeholders beyond select Community Council leadership, producer associations, and the Putumayo Chamber of Commerce.

124. The draft SESP and Prodoc for the Private Sector Project were disclosed to only a few select national government partners. The final Prodoc and SESP were uploaded to the UNDP transparency portal following the PAC. However, because both the Prodoc and the SESP focused on the umbrella Private Sector Project, they did not provide details of the GeoPark project activities.

GeoPark Personnel Allegedly Visit ADISPA Leadership and Claim Financing Through UNDP, ADISPA Raises Concerns with UNDP

125. Shortly following appraisal of the Private Sector Project in January 2021, ADISPA reports that GeoPark workers visited ADISPA's leadership. The workers reportedly highlighted GeoPark's partnership with UNDP, and alleged that, through it, GeoPark was financing ADISPA's work with Perla Amazónica communities.

126. A leader reported to SECU, "they asked about the projects that ADISPA is doing in the countryside, and they said that it was unfortunate that people are making our work difficult", a reference to the threats by armed groups. "I thought, how hypocritical, given that the company (GeoPark) they work for is linked to the financing of the armed group. They said, 'you know that we are financing the work that you are doing?'"

127. In the second half of February of 2021, ADISPA leadership informed a member of the UNDP Sustainable Amazon Team about the visit from GeoPark staff and their assertion that GeoPark was financing UNDP activities. The leader reported to SECU that they told the UNDP team, "it would be the last straw that with all the harm these armed groups are doing to us – the company which is trying to do away with us as an organization on the one hand, and on the other we are receiving support from UNDP that comes from GeoPark – this makes no sense."

¹¹¹ Comment from government: "We believe that the project can improve in the inclusion of beneficiaries in the different stages of the project, given that there is no significant articulation or participation of the beneficiaries. In this sense, we see an insufficient strategy (mentioned only in a brief paragraph) to try to guarantee an adequate linkage and alliance with the actors involved in the development of the project." CO response: "The Project will promote the development of exchange spaces with the stakeholders and direct beneficiaries involved in the framework of the activities proposed, in order to guarantee their vision of the project, ensure its relevance and coherence with respect to the needs and identify potential bottlenecks and improvement actions with the population. In this sense, the development of focus groups will be promoted and the opinions of direct users will be gathered."

Local Sustainable Amazon Project Team Alerted to and Raises Concerns

131. During March 17-19, 2021, UNDP Sustainable Amazon Project staff went to Puerto Asis to assess the Sustainable Amazon Project activities with project partner ADISPA, including verifying the security situation.
132. The Sustainable Amazon Project team had already documented security threats. For instance, a February 23rd, 2021, monitoring report noted the “[p]resence of new structures of armed illegal actors who exercise pressure over the organizations and local partners who participate in the implementation of the project in the Zona Reserva Campesina Perla Amazónica.” During the mission in March 2021, Sustainable Amazon Project staff again heard from local leaders that armed actors were presenting themselves in the name of GeoPark.
133. Sustainable Amazon Project staff also learned from their local UNDP Putumayo team that the Private Sector Project Putumayo team had a few days earlier asked for a meeting to gather context for socializing the GeoPark alliance. Sustainable Amazon Project staff reported to SECU that this is how they realized and confirmed that UNDP did in fact have an alliance with GeoPark.
134. The meeting between UNDP’s local Sustainable Amazon Project Putumayo staff and Private Sector Project local staff took place March 23, 2021. The Private Sector team shared the *veredas* where they planned to work and organizations they planned to work with and requested information on the local context as well as introductions to local groups.
135. Sustainable Amazon Project local staff identified that several of the *veredas* the project hoped to work in, and several of the associations the project hoped to work with, were located within the Perla Amazónica Reserve.
136. Sustainable Amazon Project staff communicated to the Private Sector Project staff their concerns about the partnership and project, detailing the security issues that ADISPA has been having, that project work was paralyzed for several months, and that in late 2020 and early 2021, there were indications that the security threats were connected to GeoPark, which had interest in seismic exploration in the Perla Amazónica reserve.
137. The next day, March 24 2021, the Director of UNDP’s Sustainable Development Program, which houses the Sustainable Amazon Project, emailed the Director of UNDP’s Poverty Program, which housed the Private Sector Project, to schedule a meeting to discuss these concerns further, citing the company’s “serious problems” with Perla Amazónica communities.

Private Sector Project Areas Revised

138. In response to these concerns, UNDP's Private Sector Project personnel emailed GeoPark on April 5, 2021, proposing to restructure the project implementation in Putumayo into two phases so as to hold off on implementation in *veredas* located in the Perla Amazónica (and Platanillo Block) due to community opposition to GeoPark. The goal as communicated by the UNDP Private Sector Project team was to use early victories in the first phase to build interest and participation of these outstanding areas that were resistant to GeoPark.¹¹³
139. GeoPark responded positively, but requested that the project still include *veredas* within the Perla Amazónica and Platanillo Block whose leadership is not affiliated with ADISPA.
140. UNDP's Private Sector team agreed and, with GeoPark, identified five *veredas* or Community Councils within the Platanillo block, two of which were located within the Perla Amazónica, but were identified as not being affiliated with ADISPA, and as supportive of GeoPark. These were to be included in the project as part of the 15 areas prioritized for the first phase.

CO Conducts Local Socialization Events

141. At the same time, socialization events in Putumayo were already underway. During April 5-7, 2021, the socialization field visit took place in Puerto Asís, Putumayo. The CO reports the following:
- "Meetings were held with the Mayor of the municipality, Putumayo's Chamber of Commerce President, the Compensation Fund and the National Learning Service -SENA-, who acknowledged the presence of UNDP and the company in the territory, validated the relevance of proposed actions and demonstrated their interest in supporting the initiative. Additionally, a socialization was carried out with local communities through a group meeting with 31 people (community leaders and productive organizations), without receiving any negative comments in relation to the company or its partnership with UNDP."*
142. These events are characterized by the CO as "consultations," "socialization meetings" or "kick-off" events. According to records, participants were given a presentation of project activities, expected results, and timelines. SECU was not provided any evidence that participants were given the opportunity to determine selection of project activities,

¹¹³ Email communication from UNDP to GeoPark: "In the first phase...we would identify the veredas considered most supportive of the presence of the company, the idea is to implement the projects in a much more agile way and turn them into early victories in the territory, provoking the interest, trust and participation of the remaining veredas. In this way, "with accomplishments", the arrival of the "new Amerisur" would be felt with participatory methodologies: "learning by doing", sustainable, inclusive and everything that UNDP methodologies contain. The first 15 veredas would not include the 9 that are part of the Platanillo block area and which in turn are part of the Campesino Reserve Zone, where we identified organizations that are resistant to the presence of the company and which necessarily require a process of trust building and dialogue in order to recover relations and the social fabric comprised between them by positions in favor of and against the operation of the company....Basically, we think that if the strategy works, the company could include new resources in case of finding a favorable niche for the implementation of projects in these veredas that today are sensitive to the arrival of GeoPark...".

presented with an assessment of risks, asked for feedback on the appropriateness or desirability of a partnership with GeoPark/Amerisur, or to respond to the concerns that had been raised regarding the company.¹¹⁴ The record of the socializations with community leaders and producer associations does not record specific feedback.

143. GeoPark personnel were present in each of the socialization meetings in Putumayo, as they were for the meetings in Casanare. The presentations delivered to stakeholders featured the logos of both UNDP and GeoPark.
144. On April 11, 2021, producer associations and Community Councils which participated in the April 7th socialization meetings were sent an invitation from UNDP to apply to participate in a network of community markets under the project. The invitation states that those who wish to apply are to present their organizational information and documentation via email or physically at Amerisur's community relations office "Cuéntame de La Nueva Amerisur." The terms of reference for the selection process states: "The selection of organizations will be done by the technical committee of the project, which is comprised of: one delegate of UNDP, one delegate of Amerisur, a delegate from the Mayors office, and one from the municipal ombudsman's office."¹¹⁵
145. During April 12-17, 2021, the local Private Sector Project team conducted its site visits in Putumayo, speaking with approximately 50 people from producer organizations and Community Councils. The CO states that, "from a total of 11 visited organizations, all expressed their interest in participating in the project." SECU also received information that one group expressed its opposition or discomfort regarding the process and petroleum activity in the area. SECU requested but did not receive any documentation of the content of these meetings.
146. GeoPark personnel were present for the April 12 site visits, meaning that approximately six out of 23 Community Councils and producer association site visits were conducted with GeoPark personnel.¹¹⁶
147. The CO office said it is not a practice of the office to include companies in consultations on private sector projects, however it happened in this project.
148. The project team did not meet with ADISPA, despite the fact that project documents identified ADISPA as "highly relevant" and "highly conflictive" and noted, "it is the highest

¹¹⁴ The CO states that participants "were provided relevant information about the objective and scope of the project, which included components, lines of work" and that there were "no social or environmental risks to be shared" given the fact that the SESP had been completed for the umbrella project and had not yet been updated for the GeoPark specific project.

¹¹⁵ Convocatoria: Tiendas Comunitarias - Corredor Puerto Asís- La Alea.

¹¹⁶ Three Community Councils out of a total of twelve Community Councils, and three producer associations out of a total of eleven producer associations.

authority in the area of influence of the [Zona Reserva Campesina] for decision-making at the organizational, political, economic, productive and environmental level.”¹¹⁷

149. The Private Sector Project team also did not speak with ADISPA’s member organizations. On the contrary, of the producer associations identified as potential beneficiaries and visited in site visits, GeoPark confirmed to UNDP that six were organizations within the Perla Amazónica but not affiliated with ADISPA.
150. The CO states that while there were discussions regarding the geographic focus of the project, there was no final decision as to this regard or as to the final selection of beneficiaries, and as of the time the project was cancelled, “no organization had been informed or selected to participate in any of the project components”.
151. The Private Sector Project team also did not meet with the Siona of Buenavista, the Interfaith Justice and Peace Commission or other local human rights groups.
152. SECU was not provided any evidence that the CO attempted to ensure that these groups and other potentially affected people had access to and were aware of mechanisms to submit concerns, including SECU. The complainants reported only being made aware of the availability of SECU by a partner NGO after they issued a public complaint letter following the public project launch.

CO Project Teams Discuss Concerns

153. On April 12, 2021, the UNDP Sustainable Amazon Project team met with the UNDP Private Sector Project team, including both relevant programme directors, and presented a timeline of the various concerns and allegations against Amerisur/GeoPark. These included the litigation by ADISPA, the land dispute with the Siona of Buenavista, environmental claims, the threats to ADISPA, and the allegations of connections with armed groups. The Private Sector Team reportedly dismissed the security concerns as outdated, asserting that GeoPark is law abiding, that the project would deliver needed economic reactivation, and that UNDP’s involvement could guarantee positive outcomes for communities. The Private Sector team asked how to revise the project locations to reduce the potential for project opposition. Both teams agreed to do further information gathering, including soliciting information from governmental and other human rights and humanitarian agencies. A meeting was proposed for April 21 to discuss further.
154. Between April 15-17, 2021, the Private Sector Project team sent emails to the Colombian National Environmental Agency, Corpoamazonia (the state-owned company devoted to the management of land and natural resources), and the Interior and Justice Ministry asking for

¹¹⁷ UNDP Colombia, Matrices Anexo 1 y 2 12032021, March 2021 - The Interfaith Justice and Peace Commission was identified as “medium relevant” and “medium conflictive”.

any record of claims, complaints, or non-compliance on the part of GeoPark. The inquiries did not ask about Amerisur. Responses were received after the partnership launch.

155. On April 19, 2021, the Private Sector Project team met with GeoPark to share the concerns raised by the Sustainable Amazon Project team and ask for clarification. The CO stated to SECU, "...they clarified that legally they have distinct persona juridica. As such, they informed of their compliance with all the awarded licenses and that there are no open issues with the authorities for either of the companies. They shared [information] regarding the process within the London courts and before the [InterAmerican Human Rights Commission], issues related to Amerisur, not GeoPark." GeoPark acknowledged the existence of the various controversies or allegations, though denied wrongdoing.

The Public Launch of the GeoPark Alliance

156. On April 20, 2021, the CO announced via Twitter the public launch of the alliance. Under the heading "United for territorial reactivation" the announcement read, "We join together with GeoPark to work in the territorial reactivation of Casanare, Meta and Putumayo and positively impact the quality of life of the residents of these departments."

157. On April 21, 2021, the alliance launch event was held at UNDP offices, featuring UNDP and GeoPark personnel. The event was streamed live on Facebook and shared via social media and through a press release.¹¹⁸

158. The UNDP logo featured prominently in GeoPark communications around the partnership. Until after the cancellation, GeoPark's website contained a page of "Agreements and Partnerships" with the following text: "We have consolidated a network of institutional partners to enhance our work for sustainability in the territories where we operate."¹¹⁹ The UNDP logo appeared first among partnerships, hyperlinked to the UNDP Colombia website, and with the text: "The implementation of a comprehensive economic recovery strategy that makes a positive difference to the quality of life of people in Casanare, Meta and Putumayo departments." There was no disclaimer, as required by UNDP policy, that the link to UNDP's website does not imply an endorsement of the company. Similarly, the video of

¹¹⁸ "Norma Sánchez, Corporate Director of Nature and Neighbors at GeoPark, indicated: "We thank UNDP for joining us in this important initiative that will allow us to advance in the economic reactivation of our neighboring municipalities. We are sure that this joint effort will contribute to significantly improve the quality of life of our neighboring communities and will allow us to demonstrate our commitment to become allies of sustainable development in these territories". For his part, Javier Pérez Burgos, Manager of the Reduction of Poverty and Inequity unit of UNDP Colombia, assured that "this strategic alliance will allow us to integrate GeoPark's experience in the territory with our integral development solutions in order to accompany neighboring communities in their socioeconomic recovery. Thus, we advance in closing human development gaps, we make sure that no one is left behind and we support the private sector in meeting the 2030 Agenda". For two years, GeoPark and UNDP will work hand in hand with institutions to leverage and promote the planning and execution of these initiatives, that, in turn, will affect the progress of the agenda for territorial sustainable development." – UNDP Colombia, Geopark y PNUD sellan alianza "Unidos por la reactivación territorial", 21 April 2021; See also Prensa Libre Casanare, [Geopark y PNUD sellan alianza 'Unidos por la reactivación territorial'](#), 21 April 2021.

¹¹⁹ GeoPark, [Partnerships](#), accessed 9 May 2021.

the joint launch event featured UNDP and GeoPark officials appearing in front of a background of both organizations' logos.

159. Members of the Buenavista Reserve described the publicity around the alliance launch as publicly shaking the hand of GeoPark leadership, which they reported to SECU as causing great indignation within the community.
160. According to the CO, environmental groups and partners of the Sustainable Amazon Project immediately questioned the alliance, including publicly through social media.¹²⁰
161. On April 22 and 23, 2021, the Resident Representative was apprised of the situation by the different project teams, including a heads-up about an imminent public complaint.

The Public Complaint and Complainant Concerns

162. On April 26, 2021, the Siona of Buenavista and ADISPA issued a public letter of complaint to the CO stating that as partners of UNDP in the Sustainable Amazon Project since 2019, the alliance with GeoPark, “undermines the legitimacy and trust in UNDP, since it is INCOHERENT with the effective possibility of environmental and territorial protection since it is being agreed with the Company that most threatens the fragility of the Amazon.”¹²¹
163. The letter states that since 2009, “Amerisur (today GeoPark) has been developing activities in our territories that have systematically ignored the decisions of the traditional authorities and the campesino and popular movement.” The groups allege that these operations “have resulted in environmental, territorial, social, cultural, and spiritual affectations” that “have been widely denounced by the indigenous and campesino communities” and brought to the attention of the Colombian State through administrative and criminal claims, as well as being the subject of precautionary measures issued by the Inter-American Commission of Human Rights. The letter additionally alleges that members of an illegal armed group that exercises control over the civilian population of the area, “have publicly stated that they have negotiated directly with the company to safeguard the company's operations and avoid social and community opposition to [oil exploration] activities.” The groups state that they reject the alliance and demand its immediate retraction.
164. A UNDP Midterm Review for the Sustainable Amazon Project similarly identified the incompatibility of GeoPark’s activities in the area with the Sustainable Amazon Project goals, highlighting the government’s inconsistency in supporting both.¹²²

¹²⁰ See Amazon Frontlines, [Twitter Message of 11 May 2021](#); Comisión Intereclesial de Justicia y Paz, [Twitter Message of 27 April 2021](#); Amazon Watch, [Twitter Message of 7 May 2021](#); Amazon Watch, [Twitter Message of 23 April 2021](#).

¹²¹ Resguardo Siona Buenavista and ADISPA, [Denuncia Pública](#), 26 April 2021.

¹²² “The presence of GeoPark indicates that, despite [the Ministry of Environment and Sustainable Development’s] commitment to the project, there are visions and policies at a higher level of strategic orientations for the development of the project areas, which are not consistent with the project objectives, especially with the promotion of a low carbon green growth approach.” - UNDP/GEF, [Midterm Review Report - Connectivity and Biodiversity Conservation in the Colombian Amazon](#), 19 August 2021. The

165. The Siona of Buenavista reported to SECU being taken by surprise to learn of GeoPark's partnership with UNDP, which they see as a way for the company to get close to and pressure the community. As the Reserve's legal team explained to SECU, *"It is a more "friendly" way of reaching the communities via UNDP, because there are communities that put up resistance if they know that the resources come from GeoPark, if UNDP opens the door for GeoPark to arrive later, UNDP becomes the bridge which allows the company to install itself in the territories. That is acting in bad faith and deceiving people."*
166. SECU similarly heard from Buenavista members, "[t]he petroleum company wants to come in, so they grab onto UNDP because UNDP has the relationship with the community."
167. Stakeholders also told SECU they feared that if they raised concerns regarding GeoPark's human rights abuses UNDP would not act on this information because they were receiving money from GeoPark. SECU heard the following from Siona Buenavista members: "If it doesn't matter where the funds come from, you can't know whether it's good or bad to talk with them. It's a system of trickery."
168. SECU similarly heard from ADISPA, that "you can't serve God and the Devil at the same time. The company wants to look good and cover up what it has done. Even if UNDP didn't know, it's still as if they're serving the company."
169. ADISPA points to what they see as a fundamental contradiction: "ADISPA is working to clean up the oil companies' harms. But UNDP is going to work with the oil company to capacitate local groups on sustainable development?"
170. SECU heard from both members of Siona of Buenavista and ADISPA the concern that the fact that they were receiving financing from UNDP as Sustainable Amazon Project partners while UNDP was receiving financing from GeoPark could threaten their legitimacy and independence, and potentially put them at risk. "We don't want to be sold to the company."
171. SECU heard from interviewees that the project risked pitting social groups participating in the project against those who oppose petroleum activities, thereby "tearing the social fabric" of neighboring communities: *"UNDP implements this project for campesinos and families that need the project benefits to improve their lives, and positions the Buenavista Reserve as the opponent of these development possibilities, continuing to exacerbate conditions of serious conflict and risk, even more so in a scenario where the company has the support of the military and armed actors."*

172. Members of ADISPA and the Interfaith Justice and Peace Commission situated the alliance's potential impact on the social fabric of the reserve within what they described to SECU as a larger dynamic of alleged efforts by GeoPark/Amerisur to divide the communities of the Perla Amazónica and weaken the organization of the reserve, including through the organization of and economic support to smaller producer groups.¹²³
173. The Siona Reserve of Piñuña Blanco, which was also a Sustainable Amazon Project partner, reported to SECU that they suspended their agreement with UNDP when they learned of the alliance, until they could clarify the issue.

The CO Response and Continuing Criticism

174. On April 27, 2021, the CO suspended project activities in Puerto Asis while they considered how to proceed.
175. During late April to May of 2021, the UNDP Colombia CO received responses from government agencies to the CO's inquiries regarding social and environmental complaints or non-compliance involving GeoPark. The responses, while denying the existence of administrative actions against GeoPark, provided evidence of community allegations of multiple adverse environmental impacts as well as conflict with the Siona of Buenavista.
176. On April 29, 2021, the Resident Representative held a virtual meeting with Siona of Buenavista and ADISPA leadership and supporting organizations. UNDP management stated that it had suspended activities and wanted to understand the groups' concerns, which the groups reiterated. SECU heard from the groups present that they did not feel their concerns were understood or given weight. The groups stated to the CO that they could not continue the alliances with UNDP if UNDP continued its alliance with GeoPark.
177. On May 1, 2021, the CO learned that the UNDP alliance with GeoPark was criticized by members of the UN Permanent Forum on Indigenous Issues during its 20th Session, April 19-30 at UN headquarters in New York. In its final report, the Permanent Forum expressed its concern regarding UNDP entering into an alliance with GeoPark "a private entity that has been accused by indigenous communities of disregarding their rights", "without the free, prior and informed consent of the indigenous communities that will be impacted." The Forum argued that this contradicted UNDP standards on Indigenous Peoples, and urged

¹²³ See also Corporación para la Educación e Investigación Popular, [Putumayo un territorio en constante crisis](#), 8 September 2021 - Research reflects that it is a not uncommon tactic for extractives companies to try to divide communities and to utilize social benefit programs as a means of currying favor with individuals or groups in order to weaken opposition to their activities. (Perrone, Nicolás M., 2022, *Globalizations*, 19 (6), 837-853 [844], [Local communities, extractivism and international investment law: the case of five Colombian communities](#); Figueroa, Isabela, *SUR International Journal on Human Rights*, 2006, 4, 51-80 [58]; [Indigenous peoples versus oil companies, Constitutional control within resistance](#); Schilling-Vacaflor, Almut, Eichler, Jessika, *Development and Change*, 2017, 48 (6), 1439-1463 [1452, 1457 and 1458]), [The Shady Side of Consultation and Compensation: 'Divide-and-Rule' Tactics in Bolivia's Extraction Sector](#), November 2017.

UNDP to “suspend all related partnership activities until a proper FPIC process can be carried out.”¹²⁴

178. On May 11, 2021, SECU received the request for a compliance review. The request letter attached the April 26 public complaint and provided additional documentation regarding GeoPark/Amerisur’s record, stating “[w]e believe that the implementation of the UNDP private sector due diligence process was inadequate, given the host of environmental and human rights allegations against GeoPark in the Colombian department of Putumayo.”
179. On May 11, 2021, Amazon Watch initiated an email action alert requesting supporters to contact UNDP and urge cancellation of the project. The CO later reported to SECU having received 10,000 emails through the campaign.
180. On May 12, 2021, the Private Sector Project and GeoPark partnership was cancelled by the CO.¹²⁵ The cancelation was announced via a brief statement, including that the decision, “responds to the concerns expressed by actors in the territory, in particular of civil society, of indigenous authorities and campesino organizations.” The statement was published on UNDP’s website and emailed to complainants.

Continuing Implications

181. The CO stated to SECU that with the cancelation of the GeoPark partnership, the UNDP Colombia CO lost an important Covid economic reactivation project and funding stream. This led to undelivered development benefits and unmet expectations from project partners and stakeholders. They reported that the debacle additionally meant the loss of other potential private sector partners, who may be concerned that partnering with UNDP would expose them to an unacceptable level of risk.
182. The CO and GeoPark noted that the project generated significant expectations among potential beneficiaries (community councils and producer associations) and local officials. After the project was cancelled, both the CO and GeoPark made field visits to these stakeholders to explain the cancelation. SECU does not have information on what the messaging was during meetings with local stakeholders surrounding the project cancelation.
183. In communications between GeoPark and the CO regarding the postponement of project activities in Putumayo, GeoPark stated that “it is important to mention that neither ADISPA

¹²⁴ UN Economic and Social Council, [Permanent Forum on Indigenous Issues - Report on the Twentieth Session \(19- 30 April 2021\)](#), 2021.

¹²⁵ The CO partnership with GeoPark under the Equipares programme continued through completion on 24 August 2021.

nor the Siona Organization represent the communities neighboring PUT-8 and Platanillo that will be beneficiaries of the Programs of the alliance.”¹²⁶

184. In response, the UNDP Private Sector Project team asked for and received from GeoPark confirmation that the six organizations within the Perla Amazónica Reserve with whom they conducted site visits are not affiliated with ADISPA, although ADISPA is the legal representative of the Reserve.
185. At the time of closing for the Private Sector Project, there were four other companies or public entities in negotiations with the CO as additional partners under the project, including Ecopetrol.¹²⁷ Due to the closing of the Private Sector Project, the CO sought to take these funding partners and activities forward under different projects and programmes. The Ecopetrol partnership activities were adjusted and incorporated into a larger project entitled Infrastructure for Development.¹²⁸
186. With UNDP’s cancelation of the alliance with GeoPark, ADISPA agreed to continue participating in the Sustainable Amazon Project.
187. The Siona of Buenavista formally withdrew from the Sustainable Amazon Project. On May 17, 2021, the Resguardo Siona Buenavista, Amazon Frontlines, Amazon Watch, and Healing Bridges issued a joint public statement. The groups alleged that the alliance with GeoPark, “favors its corporate image and allows the company to whitewash corporate responsibility for the historic violations of human, collective, environmental and territorial rights in precarious contexts in Colombia.”¹²⁹
188. The letter argued that UNDP’s close relationships with companies that fail to meet their responsibilities to impacted communities, “is a lack of respect for the struggles and the good faith with which the indigenous community received the "Sustainable Amazon" programme, and it is incompatible with the purposes that it claims to promote.” The letter reiterated the position of the Siona of Buenavista that cancelation of the alliance with GeoPark was not sufficient to rectify the situation. “The trust, the legitimacy and respect that we civil society organizations had with the United Nations System, in particular UNDP, is now broken.”
189. The letter demanded that UNDP make a public response regarding the cancellation – one of equal weight and dissemination as the original announcement of the GeoPark alliance. The groups also demanded that GeoPark remove from its web page reference to the alliance or to support of the United Nations System, and that the RR publicly apologize to the Buenavista Reserve, “for having ignored a struggle of defense of life, territory and dignity,

¹²⁶ GeoPark’s December 2021 response to the UN Working Group on Business and Human Rights inquiry regarding the alliance with UNDP states that the alliance “was canceled by UNDP, supposedly as a result of false statements, especially those that refer to the Company’s links with groups outside the law that is absolutely defamatory..” – GeoPark, [Letter to UN Working Group on Business and Human Rights and others](#), 7 December 2021.

¹²⁷ Bavaria AV InBev, USAID, Gobernación de Sucre, Ecopetrol

¹²⁸ UNDP, [Infraestructura para el Desarrollo \(Project ID# 123292\)](#).

¹²⁹ Resguardo Siona Buenavista, Amazon Watch and Amazon Frontlines, [Comunicado Publico Conjunto](#), 17 May 2021.

giving preference to the interests which pollute the territories, do away with the Amazon and put at risk the life of the communities.”

190. The Siona of Buenavista additionally alleged that UNDP disbursed payment for the second tranche of their grant agreement with UNDP under the Sustainable Amazon Project without their consent, and that this took place after the April 29, 2021 meeting in which they made clear their intention not to continue with the project.¹³⁰
191. The CO, however, provided SECU with documentation that indicates that the disbursement for the Sustainable Amazon Project was sent on March 29, 2021, in accordance with the preprogramed grant schedule, prior to the public complaint by the Siona of Buenavista and their statement that they no longer wished to participate in the project.¹³¹
192. A July 6 2021 letter from the Siona of Buenavista to the UNDP CO confirmed that they wished to return the second tranche of funding received through the Sustainable Amazon for Peace Project, stating, “the trust and legitimacy of UNDP were broken... [there is] no interest in continuing with the grant agreement because the pending activities to be carried out would provide privileged information about the territory whose custody we are not sure will be adequately preserved.”
193. The CO reported to SECU that the Siona of Buenavista remain closed off to dialogue with them. The Siona of Buenavista also reported to SECU that the experience with UNDP has led to an ongoing loss of trust with human rights and development institutions, and with that a loss of additional support.
194. The Reserve of Piñuña Blanco requested a revision to their project agreement with UNDP, changing the information that they will supply to UNDP under the project to make it less sensitive, and clarifying that UNDP may not share or utilize the information. With this change, the Reserve of Piñuña Blanco agreed to continue with the Sustainable Amazon Project as did the Association of Indigenous Councils of the Siona People.
195. Concerns over UNDP’s alliance with GeoPark have been raised by multiple UN bodies, including the UN Working Group on Business and Human Rights, and several UN Special Rapporteurs.¹³² Their letter raised concerns over potential human rights impacts from the alliance, and questioned UNDP’s application of human rights due diligence.

¹³⁰ Resguardo Siona Buenavista, [Letter to UNDP’s Resident Representative in Colombia](#), 6 July 2021.

¹³¹ UNDP Colombia, Response to SECU’s information request, March 2023 - including Atlas Payment Record on 29 March 2021.

¹³² Working Group on the issue of human rights and transnational corporations and other business enterprises, [Letter to UNDP Administrator](#), 13 October 2021 - the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the rights of indigenous peoples: the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination; and the Special Rapporteur on the human rights to safe drinking water and sanitation.- UNDP Administrator, Response letter to the Working Group on Business and Human Rights and other agencies and rapporteurs, 10 December 2021.

196. A New York Times story on August 11, 2022, highlighted the GeoPark alliance, alleging a “revolving door” between the CO and the oil industry, and stating that “when the United Nations has partnered with oil companies, the agency has also tamped down local opposition to drilling, conducted business analyses for the industry and worked to make it easier for companies to keep operating in sensitive areas.”¹³³
197. SECU heard from other UN agencies that the fallout over UNDP’s partnership with GeoPark harmed their ability to work with local communities in that the distrust transferred to other UN institutions at least until they were able to clarify their independence.
198. SECU similarly heard from Buenavista members that UNDP’s alliance with GeoPark made them distrust all outside actors. “Now we don’t trust any human rights organization. They talk about human rights but if financed by the entity that wants to do away with us...” SECU heard from members of a women’s collective that this distrust has meant that they now are missing out on projects with all outside organizations.
199. The Siona of Buenavista reported feeling “tricked”. To allow an outside entity like UNDP to be involved in the production of *chagras*, which are sacred to the community, or the documentation of other sacred sites, required a substantial amount of trust. SECU heard from members an indication that there was a psychosocial impact of feeling that this area of their culture and cosmovision was tainted by funds from, and association with, a petroleum company.
200. SECU similarly heard from residents of the Perla Amazónica that given all they have been through in their struggle with Amerisur/GeoPark that UNDP’s alliance with the company undermined their dignity.
201. SECU also heard from CO staff that the GeoPark alliance has negatively impacted their ability to work with new partners and that their commitment to sustainable development has been questioned.
202. The CO states that it has taken steps to strengthen its due diligence processes, including reviewing some existing partnerships, and that it has also increased training on social and environmental assessment, implemented measures to facilitate cross-programme learning to address communications silos, and is developing a human rights committee.
203. As of drafting, GeoPark’s exploration activities in concession area PUT-8 have moved forward, amid a sharp increase in armed conflict and targeted killings in the area.¹³⁴

¹³³ New York Times, [In the Amazon, a UN Agency has a green mission, but dirty partners](#), 10 August 2022.

¹³⁴ See Comisión Intereclesial de Justicia y Paz, Informe – [En medio de crisis de derechos humanos por incremento de asesinatos, ANLA convoca audiencia pública ambiental en Puerto Asís](#), 26 June 2023; Amazon Frontlines et al., [Llamado urgente a la institucionalidad - Presencia y control armado, graves violaciones a DDHH e infracciones al DIH en el Municipio de Puerto Asís](#), Putumayo, 16 October 2023; El Tiempo, [Putumayo: alerta por más de 2.000 familias confinadas por enfrentamientos](#), 26 September 2023; Defensoría del Pueblo, [Desde que fue emitida la Alerta Temprana 030 sobre el contexto electoral han sido registradas 204 acciones violentas de grupos armados ilegales](#), 18 October 2023.

Sustainable Amazon Project Social and Environmental Risks Updated

204. Because the Sustainable Amazon Project was approved in 2018, its original screening and assessment fell under the 2015 SES and SESP. The project was rescreened, however, in June of 2021, utilizing the updated SES and SESP.
205. The original SESP for the Sustainable Amazon Project only identified a single risk for project partners – the risk that indigenous peoples may not comply with programme requirements.
206. At the same time, the original Risk Log identified the risk that the security situation could impede meeting project objectives, however the Risk Log concluded that UNDP’s experience in peacebuilding and work in areas of conflict would “guarantee” that project goals are achieved.¹³⁵
207. The CO acknowledges that the original SESP for the project was not rigorous, but that it was updated in June of 2021 to conform to the revised SES and to better acknowledge a variety of risks. It is important to note that the revision of the SESP for the Sustainable Amazon Project occurred during the same time as the fallout over the Private Sector Project launch, including the complaints raised by Sustainable Amazon Project partners and their identification of various project-related risks.
208. The revised 2021 SESP for the Sustainable Amazon Project identified eleven risks. These include the risk of exacerbating conflict or violence, as well as the potential for positive or negative impacts on indigenous rights.¹³⁶ More specifically, the SESP identifies the risks that indigenous peoples’ traditional knowledge or practices could be exposed in situations and with actors foreign to their culture, and that “[i]mpacts on people’s life or security” could arise, “due to illegal armed groups that exercise pressure on the organizations, local partners or institutions that participate directly or indirectly in the project.”
209. The CO answered “NO” to the questions whether “local communities or individuals have raised human rights concerns regarding the project (e.g., during the stakeholder engagement process, grievance processes, public statements)”, and whether there was a risk of “adverse impacts on the enjoyment of human rights (civil, political, economic, social or cultural) of the affected population and in particular of marginalized groups”.
210. Indigenous partners of the Sustainable Amazon Project had raised the concern that with the GeoPark alliance, sensitive information gathered in the context of the Sustainable Amazon Project could end up in the hands of GeoPark.¹³⁷ The Sustainable Amazon Project

¹³⁵ UNDP Colombia, Gestión de riesgos actualizado - Amazonía Sostenible por la Paz, 2020.

¹³⁶ UNDP, [Social and Environmental Screening Procedure](#), 2021, question 6.3.

¹³⁷ Resguardo Siona Buenavista, Amazon Frontlines, Amazon Watch, and Healing Bridges, [Comunicado público conjunto](#), 17 May 2021.

involved mapping of indigenous peoples' territories, including borders and sacred sites which can be viewed as sensitive given that several of the project partners are in active disputes or administrative processes regarding territorial boundaries. It also involved traditional knowledge in the form of agricultural practices.

211. This issue was very important to the Siona of Piñuña Blanco and was raised by the group as soon as they learned of the GeoPark alliance. "If an alliance is made with you, the work with you will reach the company. We are always cautious about that. After [the alliance] happened, all the agreements were [changed] because mistrust was generated. Now, we give them the basic information, not everything they had requested. This alliance is not well regarded, there is distrust in giving the information, because it will get there [to the company]."
212. The CO acknowledged to SECU that the destination of project information is a legitimate concern but states that there was no connection between the Sustainable Amazon Project and the Private Sector Projects.
213. The CO also answered "NO" to the risk of an "absence of culturally appropriate consultations" with the objective of achieving the free prior and informed consent of indigenous peoples on matters that affect their rights and interests, lands, resources, territories or traditional livelihoods.
214. The CO also answered "NO" to the risk of "adverse impacts on indigenous peoples' development priorities as defined by them."
215. And the CO answered "NO" to the risk of "reprisals or retaliation against stakeholders who express concerns or complaints, or who seek to participate in or obtain information about the project."
216. SECU notes that the UNDP 2021 Midterm Review for the Sustainable Amazon Project identified "intimidation and pressure against the ADISPA Board of Directors by armed groups, allegedly linked to oil groups" to stop advocating for environmental sustainability in the Reserva Campesina.¹³⁸ The report also noted the assassination of two (non-grantee) project partners in 2020.¹³⁹
217. In the SESP for the Sustainable Amazon Project, all eleven identified risks are assessed as "intermediate" impact and "moderate" significance. Accordingly, the project overall is categorized as "moderate" risk.
218. The risk that "[i]mpacts on people's life or security, due to illegal armed groups that exercise pressure on the organizations, local partners or institutions that participate directly

¹³⁸ UNDP/GEF, [Midterm Review Report - Connectivity and Biodiversity Conservation in the Colombian Amazon](#), 19 August 2021.

¹³⁹ Ibid.

or indirectly in the project” is assessed as “moderate” significance, based on an impact rating of “intermediate” and a probability rating of “moderately likely”.

219. The risk that the development of project activities could pose a “risk to indigenous peoples cultural, social, organizational, environmental, dimensions or land use” was assessed as “moderate” significance based on an impact rating of “intermediate” and a probability rating of “low likelihood.”

220. The 2021 SESP completed by the CO marked “yes” to the question as to whether the SES required additional assessment of the project, however, no comprehensive or targeted environmental and social impacts assessment was prepared.

221. As of drafting of this SECU report, the Sustainable Amazon Project had not disclosed its updated SESP or Indigenous Peoples Plan on the UNDP transparency portal, and no project documents were available on the Colombia CO webpage.¹⁴⁰

The Ecopetrol Partnership Due Diligence Screening

222. The RAT for the Ecopetrol partnership negotiated under the Private Sector and Agenda 2030 Project and rolled into the Infrastructure for Development Project was originally completed in 2019 and updated in April 2021. The Ecopetrol component of the project was approved June 2021.

223. In the Ecopetrol RAT, the CO selected “no evidence” for each of the exclusionary criteria, including “violation of human rights or complicity in human rights violations.” The comments section states: “There is no evidence of exclusionary criteria that prevent or limit a partnership between the company and UNDP. However, in section 2.1 potential controversies, news related to complaints against the violation of human rights is detailed in depth. No evidence was found to substantiate these allegations.”

224. Section 2.1 of the RAT then identifies an extensive list of evidence (over 67 items) of human rights and environmental controversies involving corruption, environmental contamination, labor abuses, connection with paramilitaries, violation of indigenous rights, and displacement, including court cases and administrative sanctions.

225. The CO checked the “evidence” box for each of the following potential controversies: significant criticism from local or global NGOs, recurring local public events against the private sector entity, and relevant legal cases.

226. The CO did not escalate the partnership due diligence to headquarters. The partnership was instead approved without conditions.

¹⁴⁰ UNDP Colombia, [Amazonía Sostenible Para la Paz Project page](#), accessed 5 September 2023.

227. SECU notes that UNDP Colombia's point person for petroleum sector partnerships, and the lead point of communications between the office and GeoPark as well as Ecopetrol for those respective partnerships, was a former employee of Ecopetrol. Yet in the RAT for the Ecopetrol partnership, in answer to the prompt: "Relationships between UNDP staff and the private sector entity", the CO stated the following: "There is no evidence of any relation between UNDP personnel and the company."
228. The CO stated to SECU that this individual served as a contractor with UNDP in the same role since 2015 and did not serve in a decisionmaking capacity.
229. The potential for a conflict of interest in this case was not disclosed to the UNDP Ethics Office and CO management does not appear to have taken any measures to avoid or mitigate the potential conflict.

ANNEX 6. UNDP's Relevant Social and Environmental Commitments

1. Various concerns and risks of potential harm were raised by complainants and other stakeholders during the investigation. These concerns and risks of potential harm raised issues related to compliance with several of UNDP's social and environmental commitments, including the following:
2. The Private Sector Partnerships Policy (2016)¹, Policy on Due Diligence and Partnerships with the Private Sector (2013) and Managing Partnerships Policy (2017), which require that the UNDP perform due diligence necessary to ensure that UNDP partners with only those private sector entities that are committed to core UN values and causes and that are not involved in activities incompatible with UNDP's values, mission and brand. UNDP's Private Sector Due Diligence Risk Assessment Tool (RAT)² and Guidelines (2016) exist to support staff in assessing partnership risks.
3. The Social and Environmental Standards (SES)³, which are designed to strengthen the social and environmental outcomes of UNDP projects, avoid adverse impacts, and ensure full and effective stakeholder engagement.
4. SES Principle 1: Human Rights, which requires UNDP to refrain from providing support to activities that may contribute to human rights violations.
5. SES Principle 3: Environmental Sustainability, which requires UNDP to ensure that environmental sustainability is systematically mainstreamed into its projects, and to ensure that projects enhance climate resiliency and avoid unwarranted increases in greenhouse gas emissions.
6. SES Standard 6: Indigenous Peoples, which requires projects to guarantee the meaningful, effective and informed participation of indigenous peoples and be conducted in a manner supportive of indigenous rights.
7. SES Screening, Assessment, and Management of Social and Environmental Risks and Impacts, which requires all projects to be screened utilizing the Social and Environmental Screening Procedure (SESP)⁴ to identify and assess potential risks and opportunities as well as to identify the application of specific SES requirements.

¹ UNDP, [Private Sector Partnerships Policy](#), 2016

² UNDP, [Private Due Diligence Risk Assessment Tool](#), 2016

³ UNDP, [Social and Environmental Standards](#), 2021

⁴ UNDP, [Social and Environmental Screening Procedures](#), 2021

8. SES Stakeholder Engagement, which requires UNDP to ensure meaningful effective and informed participation of stakeholders in project formulation and implementation, including undertaking stakeholder analysis and meaningful and informed engagement and consultation processes.
9. SES Access to Information, and UNDP Information Disclosure Policy, which require disclosure of relevant information to affected communities and other stakeholders.
10. For the purposes of this compliance review, the applicable version of the SES for the Private Sector Project is the 2015 SES, while the applicable version of the SES for the Sustainable Amazon Project is the 2021 SES.⁵

⁵ UNDP's SES was updated in 2021. The Prodoc for the Private Sector Project was signed January 26, 2021, during the transition period between the 2015 SES and the 2021 SES. During the transition period, the applicable SES is determined by the version of the SESP included in the annex to the signed Prodoc, which in this case was the 2015 SESP version. As a result, as a matter of compliance, the 2015 SES Policy applies. It should be noted, however, that the SESP attached to the PRODOC did not correspond to the specific project of the Geopark alliance. That SESP was still to be completed. For the Sustainable Amazon Project, the Prodoc was signed on 15 January 2018, but the project was rescreened in 2021 using the 2021 SESP. Therefore, the 2021 SES and SESP are the relevant policies.

ANNEX 7. Letter to UNDP from ADISPA and Siona of Buenavista on 26 April 2021

JOINT PUBLIC COMPLAINT

The Buenavista Reservation of the Siona People and the Campesino Reserve Zone (ZRC) The Amazon Pearl (La Perla Amazónica) reject the strategic alliance between the UNDP and the GEOPARK oil company.

Ms.

JESSICA FAIETA MEJIA

UNDP Representative

SINU resident coordinator in Colombia

Since 2019 in the municipality of Puerto Asís, Putumayo, relationships and grant agreements have been implemented within the framework of the Sustainable Amazon Program for Peace, (Programa de Amazonía Sostenible para la Paz) with the communities of the Siona Reservation of Buenavista and the Association for Holistic Sustainable Development Amazon Pearl, ADISPA (Asociación de Desarrollo Integral Sostenible Perla Amazónica), organization that legally represents the Campesino Reserve Zone ZRC Perla Amazónica, with the purpose of protecting strategic ecological corridors for the preservation and conservation of Amazonian life and biodiversity, in order to support the fostering of territorial stewardship and ensuring the survival of the communities in a sustainable way within the Amazonian environment.

With concern, we note the launching on April 21, 2021, of the strategic alliance “United for Territorial Recovery” (“Unidos por la Reactivación Territorial”) between the UNDP Colombia with the Geopark oil company, which was announced on social media. This disregards the [local] processes of defense and resistance against extractivism in the region, particularly against the Put-12, Put-8, and Platanillo Blocks [oil concessions], owned by the company Amerisur Colombia (today GEOPARK). These operations have resulted in environmental, territorial, social, cultural, and spiritual affectations, and these have been widely denounced by the indigenous and campesino communities.

We consider this Alliance to be an act that undermines the legitimacy and trust in UNDP, since it is INCOHERENT with the effective possibility of environmental and territorial protection since it is being agreed with the Company that most threatens the fragility of the Amazon.

Since 2009, Amerisur (today GeoPark) has been developing activities in our territories that have systematically ignored the decisions of the traditional authorities and the campesino and popular movement. This imposition by force of this [extractive] development scheme is contrary to our own life plans, our own development plans, and the right to consultation and prior, free and informed consent, and self-determination. This is a situation that has been brought to the attention of the Colombian State within the legal framework of enforceability of rights such as the restitution of territorial rights, which Amerisur opposes; criminal complaints;

and administrative requisitions (requerimientos administrativos) to the Supervisory Agencies (entes de control) and the Public Ministry. This has also been raised before the Inter American Commission of Human Rights, which resulted in the granting of precautionary measures to the Buenavista Reservation of the Siona People (MC-395-18) but has not resulted in any form of institutional response [by the Colombian State].

At the same time, members of illegal armed groups have publicly stated that they have negotiated directly with the company to safeguard the company's operations and avoid social and community opposition to seismic activities. This armed group exercises control, imposes restrictions and other impositions on the civilian population in the municipality of Puerto Asís. We reject the Strategic Alliance between UNDP and GEOPARK. We demand the UNDP's immediate retraction of the agreement as an expression of coherence and allowing for the possibility of continuing with the understanding and implementation of community activities with the Buenavista Reservation and the ZRC La Perla Amazónica.

We are an integral part of Amazonia and as campesino and indigenous communities we share, care for, and respect this territory of life and hope for Colombia and the entire world.

WE ARE LIFE, WE ARE AMAZON

**BUENAVISTA RESERVATION OF THE SIONA PEOPLE
(RESGUARDO BUENAVISTA PUEBLO SIONA)**

gobernadorbuenavista@gmail.com

**ASSOCIATION FOR HOLISTIC SUSTAINABLE DEVELOPMENT AMAZON PEARL
CAMPESINO RESERVE ZONE THE AMAZON PEARL
(ASOCIACIÓN DE DESARROLLO INTEGRAL SOSTENIBLE PERLA AMAZÓNICA ZONA DE RESERVA
CAMPESINA PERLA AMAZÓNICA)**

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RESGUARDO INDÍGENA SIONA BUENAVISTA
RESOLUCIÓN N° 045 DE 21 DE JULIO DE 1983
NTT. 846.003.268-1



JOINT PUBLIC STATEMENT

The Buenavista Reservation of the Siona People and civil society human rights organizations celebrate the cancellation of the "Strategic Alliance" between UNDP-Colombia and GeoPark oil company.

17 May 2021

On April 26, the Buenavista Reservation of the Siona People and the Association for Holistic Sustainable Development, *Perla Amazónica*, ADISPA, publicly denounced the launching of a "Strategic Alliance" between the United Nations Development Program (UNDP) and the oil company GeoPark, denouncing that the UNDP did not hold consultations with the campesino and indigenous communities and organizations impacted by the extractive activity carried out by this oil company, and that the UNDP did not take into account the processes of territorial defense and resistance against extractive industries that both community organizations have been enduring for years in the municipality of Puerto Asís, Putumayo, Colombia.

Responding to this complaint, Jessica Faieta, the Resident Representative of the United Nations System in Colombia wrote on April 28 and proposed a meeting with the organizations to detail the UNDP's interest in developing the project of territorial economic reactivation in partnership with private actors - such as the oil company GeoPark - in the context of the Covid-19 pandemic. In her letter, she further stated that *"In accordance with the principles that characterize UNDP actions, such as impartiality, transparency, and building trust, we have decided to suspend the activities of this project in the municipality of Puerto Asís to learn more about your concerns and to share with you the scope of UNDP's actions envisioned for the territory."*

The meeting was held virtually on April 29, with the participation of the leaders of the Buenavista Reservation and ADISPA and the accompaniment of the civil society organizations jointly subscribing to this release. The UNDP's principal interlocutor, Jessica Faieta, tried to justify, in a regrettable way, the actions carried out to attract resources from private companies, in a clear omission of the minimum criteria for corporate ethics and due diligence.

Under the Sustainable Development agenda, UNDP signed an alliance with GeoPark that favored its corporate image and made it easier for the company to whitewash its responsibility for the historical violation of human, collective, environmental, and territorial rights in the precarious contexts in Colombia. The Chilean oil company GeoPark made a



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contribution of US\$1.7M¹ to UNDP, the amount being the criterion that prevailed contrary to international standards and guiding principles for Business and Human Rights² and the Escazú Agreement, which define the minimum standards for the verification of compliance with the law and respect of human rights by Transnational Companies, with special emphasis on the problems and impacts on communities exposed to greater risks, vulnerabilities, and marginalization due to the specific context of victimization of the internal armed conflict.

We found it unfortunate that Jessica Faieta's interventions attempted to justify the unjustifiable. She mentioned that the role of the United Nations was to "*guarantee, promote, and facilitate*" human rights compliance by companies that are already established in the region and to ensure that they, in turn, return "*development*" to the territories that is "*sustainable*" for the communities, using as an example alliances in other parts of the country with companies that have had great questions raised about massive human rights violations that have occurred in their zones of influence in the development of mining and energy projects, questions troubling enough that they are even being studied as a case before the Special Jurisdiction for Peace.³

Another controversial point during the meeting was the allusion made by the UNDP representative of her role in guaranteeing the right to prior consultation, which she asserted she could "ensure." On the one hand, the System of Nations United cannot supplant State functions to try to impose corporate visions favorable to extractive interests in the region at the cost of the struggle and survival of an ancient and ancestral people. The Buenavista Reservation of the Siona People has had to endure the systematic and bad faith infringements of their right to prior consultation by the oil company (today "Nueva Amerisur," a subsidiary of GeoPark.) Buenavista has publicly reiterated their firm position that they have formalized their lack of agreement with the oil company since 2015, and which clearly expresses their lack of consent for any kind of prospecting, exploration, and exploitation activities for crude oil within its ancestral territory, a position also protected by precautionary decisions of the Court of Land Restitution of Mocoa. On the other hand, several human rights organizations, including Global Witness, have documented the

¹ See: <https://open.undp.org/projects/00132303>

² Resolution 17/4, of 16 June 2011, Human Rights Council of the United Nations.

³ See: "La JEP establece que 2.094 personas fueron víctimas de desaparición forzada en el área de influencia de Hidroituango", Comunicado 173 of 2020, Bogotá, 9 December 2020.

Accessed at: <https://www.jep.gov.co/Sala-de-Prensa/Paginas/La-JEP-establece-que-2.094-personas-fueron-v%C3%ADctimas-de-desaparici%C3%B3n-forzada-en-el-%C3%A1rea-de-influencia-de-Hidroituango.aspx>



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multiple murders of territorial and environmental rights defenders, placing Colombia as the country where the most such cases are presented and documented.⁴

This integration philosophy promoted by UNDP, through which it seeks to bring together multinational companies that, like GeoPark, do not assume their responsibilities for repairing, remediating, and financing socio-environmental conflicts; with communities in resistance such as the Buenavista Reservation, is disrespectful of the struggle and good faith with which the indigenous community received the "Sustainable Amazon" program, and is incompatible with the program's stated purposes. One cannot fail to consider that in the Auto 004 of 2009, the Constitutional Court of Colombia identified the extractive sector and its imposition of oil projects by force in the territories to be an underlying factor in the internal armed conflict. The Court also identified the Siona People to be among 34 indigenous peoples at "high risk of cultural or physical extermination." This is underscored by the statements of irregular armed actors who have publicly supported the same oil development in the municipality of Puerto Asís.

Through a brief statement that has not yet been made public or signed by the Representative, but that came to us from UNDP's email to the Buenavista Reservation, on 12 May 2021 UNDP reported that it had decided to CANCEL the alliance with the GeoPark oil company, ratifying the commitment "with the indigenous peoples and sustainable development in Colombia."

We reiterate: it is not enough for UNDP to cancel their activities with the oil company. The trust, the legitimacy, and the respect that the civil society organizations had placed in the United Nations System and particularly in the UNDP was deeply fractured. We see it as a clear sign of bad faith that, despite the fact that the leaders of the Buenavista Reservation had been emphatic both in their written statement and in the oral interventions made in the April 29 meeting that they were not going to continue with the execution of the GRANT until UNDP publicly defined its position regarding the Agreements with Geopark, UNDP disbursed two days later resources for \$52,000,000.00 COP to the account of the Tribal Government (*Cabildo*,) pressing to give continuity and execution of activities that include access to privileged information of the territory whose content we no longer trust would not end up in the hands of the company.

We insist that it is INCOHERENT of UNDP to both seek effective environmental and territorial protection of the Amazon and at the same time reach agreements with the company that has most threatened this fragile ecosystem and that has tried to fragment the organization of communities, to the extent of legally opposing the process of restitution of territorial rights. These are not isolated cases but instead have grave

⁴ <https://www.globalwitness.org/en/campaigns/environmental-activists/defending-tomorrow/>



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international antecedents such as the pressure on communities and territories of the Wampís and Achuar indigenous peoples in Peru, whose legal actions and resistance led to the discontinuance and withdrawal of the oil company in July 2020 in that country.⁵ The UNDP must have as PUBLIC a response as the one deployed when the Alliance was launched.

We demand that UNDP speak out publicly on any final decisions it adopts; that GeoPark remove from its website the endorsement, logo, and alliance with the United Nations System in Colombia; and that Jessica Faieta in her capacity as Resident Representative of the United Nations System in Colombia publicly apologize to the Buenavista Reservation for having ignored their struggle to defend life, territory, and dignity, giving preference to interests that pollute the territories, destroy the Amazon, and put at risk the life of the communities.

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⁵ <https://earthrights.org/media/empresa-petrolera-geopark-desistio-de-operar-en-territorios-indigenas-wampis-y-achuar/>

ANNEX 9. Risk Assessment Tool for GeoPark in the Private Sector Project

Risk Assessment Tool

For internal UNDP use

This template permits the collection of information on potential partner companies, helps to evaluate whether or not UNDP should pursue a partnership with the company, and determines which cases might need to be escalated to HQ.

This template contains the practical steps to be followed to reach a decision on a given partnership. It should be used in conjunction with the “UNDP Policy on Due Diligence and Partnerships with the Private Sector 2013” and “Risk Assessment Tool Guideline 2014” which explains each of the steps in more detail. **This risk Assessment is a mandatory requirement for any type of partnership between UNDP and a private sector entity. Special attention should be paid to complete it well in advance of the planned partnership.**

Content of this document:

- Collate background information.
- Step 1: Assess the Company against UNDP Exclusionary Criteria.
- Step 2: Research Potential Controversies.
- Step 3: Assess the Company Commitment to ESG and the Partnership Risks and Benefits.
- Step 4: Make a Decision.
- Step 5: Monitor and Prepare Communication Materials.

Collate Background Information

Company information	
Name of the company:	GeoPark Colombia S.A.S.
Contact details of UNDP’s main contact(s) at the company:	Norma Sánchez – Director of Environment and Social Management I Email: nsanchez@geo-park.com Webpage: https://www.geo-park.com/sp/index/
Sector:	Hydrocarbons
Company description / background:	GeoPark is a leading company in Latin America that operates oil and gas with assets and growth platforms in Colombia, Peru, Argentina, Brazil and Chile. Since its founding in 2002, the company has grown

rapidly year after year, taking advantage of the opportunities and dynamics in the hydrocarbon market in Latin America, as one of the richest and least explored regions in the world. According to the company, this region offers a unique opportunity for the operation as the region continues to grow with high technical standards oriented to exploitation at low cost.

GeoPark believes that people are key to their long-term growth, and they have successfully recruited and assembled one of the best oil search and operation teams in Latin America. According to the company, the team has a variety and experience that exceeds most companies of its size.

It is ranked as the third largest oil operating company in Colombia, the first private oil and gas producer in Chile, has a non-operative participation in one of the largest non-associated gas fields with the highest production in Brazil and it's listed on the New York Stock Exchange (NYSE).

In 2018, the Ministry of Mines and Energy and the National Hydrocarbons Agency (ANH) recognized GeoPark's operations for their good management of conflict situations with local communities ["Across 107 experiences in the mining-energy sector, Geopark was awarded by the National Government in the category "management of social conflict", for the work it does on a daily basis in creating value and giving back to the operating neighbors. "](#)

Business model

GeoPark was created based on a business model with 5 main elements:

Explorer: The capacity, creativity, experience and methodology to find and develop oil and gas reserves, with the ability, economics and good science to take the necessary managed risks.

Operator: The ability to execute in a timely manner and with the necessary know-how to profitably drill, produce, transport and sell our oil and gas and at a low price, all with the drive and creativity to find solutions, overcome obstacles, seize opportunities and achieve results.

Consolidator: The ability to put together the right balance in our portfolio so that our upstream assets are in the right basins and the right regions, and we are working with the right partners and at the right price, coupled with the vision and skill to reshape and improve the different environments.

Risk and economic management: The ability to consistently grow and build value through effective planning, balanced work programs, cost efficiency, dependable access to capital, and reliable communications with our shareholders. It's also the ability to identify and mitigate the risks between the subsurface and what's above the ground (financial, organizational, market, partners and shareholders, social, regulatory and political) to improve our economic value through financial management.

Culture: The commitment to build a performance-driven and trust-based culture that values and protects our communities, employees, environment and shareholders to underpin and strengthen our long-term plan for success. Our culture is based on our integrated value system known as SPEED, and it is at the core of everything we do.

Sustainability

Sustainability is an integral part of the business model, it is in the principles and organizational culture. Its work takes as a starting point the SPEED value system, which contains the necessary elements to develop a successful and sustainable operation and to have the support and trust of its stakeholders.

The critical components needed to create lasting value and that define success for GeoPark are:

Safety: guaranteeing that we all return home safe and sound, and in good health.

Prosperity: creating economic value to give back to our shareholders and stakeholders.

Employees: having a motivating, inclusive, fair and gratifying workplace, with opportunities and **mutual respect**.

Environment: continuously and systematically minimizing the impact of our projects on the environment.

	Community Development: working to become local communities' neighbor and partner of choice.
Controlling company and subsidiaries:	Entity: GeoPark Limited GeoPark Latinoa América, SLU (España); GeoPark Colombia, Coop UA (Holanda), GeoPark Colombai E&P SA (Panamá).
Countries / regions of operation of the company:	Colombia, Perú, Argentina, Brazil, y Chile In Colombia, GeoPark's activities are concentrated in the Eastern Plains, specifically in the departments of Meta, Casanare and Putumayo.
Date of assessment:	April 2019. Updated November 2020.
Annual turnover in US\$:	Financial statements at December 31st, 2019 \$ 628,000,000 USD
Number of employees:	282 employees in October 2020 (fixed term, indefinite and Sena)
Information sources:	Information for this document was obtained from internet searches webpage , Sustainalytics , Business & Human Rights Resource Centre , S&P Global Ranking , local and international media.
Credibility of the information:	The information collected is information from official sources provided by the company and from reliable internet sources (company website and media news) Because GeoPark is listed on the New York Stock Exchange, it is subject to accuracy and disclosure requirements and annual and quarterly reports.
Relationships between UNDP staff and the company	There is no prior relationship between UNDP staff and the company beyond work associated to the Gender Equality - Equipping seal in 2019.
Comments:	Certifications¹⁴⁶ <ul style="list-style-type: none"> • ISO 14001:2015 Certificate • Verification of greenhouse gases, ICONTEC • Certification of favorable work environment • Recognition of best social practices in the energy industry • Bureau Veritas Safeguard Seal Alliances¹⁴⁷

¹⁴⁶ Información de la página web de la compañía para Colombia

¹⁴⁷ Información de la página web de la compañía para Colombia

- ⇒ Financiera de Desarrollo Territorial
- ⇒ Smithsonian Conservation Biology Institute's Center for Conservation and Sustainability (CCS)
- ⇒ [PNUD Colombia](#)

Policies:

1. Agent Certificate
2. Anti-Bribery Policy
3. Compliance Program Against Bribery and Corrupt Practices
4. Policy on Gifts, Sponsorships, Donations and Contributions.
5. Policies on Road Safety, Prevention of Alcohol Consumption and Psychoactive Substances.
6. Corporate Supply Policy
7. HS corporate policy
8. Corporate Environmental Policy
9. Corporate Social Responsibility Policy
10. Code of Ethics and SOX controls
11. Prevention of money laundering
12. Supply contracting policy
13. Compensation and benefits policy

Reports¹⁴⁸:

- Summary Geopark Colombia: [Sustainability Report 2014 – 2015](#)
- Report [SPEED 2015](#)
- Report [SPEED – ESG 2017](#)
- Report [SPEED – ESG 2018](#)
- Report [SPEED – ESG 2019](#)

Media:

- [Oil Chanel](#): “GeoPark es la primera compañía del sector petrolero y gas en Colombia en recibir Bureau Veritas Safeguard Label”
- [La Reportería](#): “Por buenas prácticas sociales, Minminas y ANH otorgan reconocimiento a Geopark”
- [Agencia Nacional de Minería](#) (ANM): “Experiencias que transforman el sector minero – energético”
- [Ministerio de Trabajo de Colombia](#): “MinTrabajo da bienvenida a GeoPark al Sello de Equidad Laboral
- [La República](#)

- [Portafolio](#): "La operación de GeoPark en Colombia creció cuatro veces"
- [Forbes](#): "GeoPark aumentó su producción de gas y Petróleo en el tercer trimestre"

UN partner

Does UNDP or any other member of the UN family currently have, or has it previously had, any relationship with the company?

If **yes**, please briefly explain in the comment box the nature of the relationship with the company.

No previous partnership.

Comments:

In 2019, the company worked with UNDP to implement the Gender Equity Seal: Equipares. The main objective of this partnership is to work with the company to identify and close gender gaps in the Colombian labor market. This program belongs to the Ministry of Labor of Colombia and UNDP's function is to provide technical support to the Ministry and its associated company.

Level of due diligence

The risk assessment needs to be completed for any potential partnership with a private sector entity. If the company is a general participant in a UNDP event, no risk assessment needs to be done. For major event panelists it is recommended that the exclusionary criteria are checked. For any other type of engagement the due diligence needs to be done as defined in the "Level of Due Diligence" matrix (either limited or full due diligence).

The level of due diligence applied will be influenced by the type of partnership and the sector of activity. Please refer to the *Policy on Due Diligence and Partnerships with the Private Sector (2013)* for an overview of the different types of partnership and details about the high-risk sectors mentioned in the footnote. For a detailed description about cases when the risk assessment needs to be done, please refer to the Guideline.

Select the appropriate level of due diligence to be applied from the table below (several types of partnership may apply, select all that are applicable).

NB: Note that for private sector partnerships that involve project funding, the project must also be reviewed to ensure compliance with UNDP's Social and Environmental Standards, including through UNDP's Social and Environmental Screening Procedure (<https://undp.unteamworks.org/ses>).

Sector of activity of the company	Low-risk	High-risk
Type of partnership		

<p>Advocacy and policy dialog</p>	<p><input type="checkbox"/> Limited due diligence.</p> <p>1 If there are no issues with the exclusionary criteria and significant controversies (Step 1 and 2) you can move directly to decision (Step 4).</p>	<p><input checked="" type="checkbox"/> Normal due diligence</p> <p>2 All of the steps in this document must be completed.</p>
<p>Resource mobilization / Company providing financial resources to UNDP to implement ≤ US\$100,000 (total contribution)</p>		<p>High-risk sectors include the following, select the one/s that apply:</p> <p><input checked="" type="checkbox"/> Oil and gas</p> <p><input type="checkbox"/> Metals and mining</p>
<p>Resource mobilization / Company providing financial resources to UNDP to implement >US\$100,000</p>	<p><input type="checkbox"/> Normal due diligence.</p> <p>3 All of the steps in this document must be completed.</p>	<p><input type="checkbox"/> Utilities</p> <p><input type="checkbox"/> Large infrastructure</p> <p><input type="checkbox"/> Agriculture and fishing</p> <p><input type="checkbox"/> Timber, pulp and paper</p>
<p>Core business for inclusive market development (programmatic joint initiative)</p>		<p><input type="checkbox"/> Alcohol</p> <p><input type="checkbox"/> Chemicals (incl. pharmaceuticals)</p>
<p>Innovations (e.g. pro-bono provision of technology to support a UNDP project)</p>		<p><input type="checkbox"/> Clothing, toys and consumer electronics</p>
<p>Transformational partnerships (broader collective partnerships)</p>		<p><input type="checkbox"/> Fast food, high sugar drinks and soda</p> <p>A full list can be found in the policy.</p>

Description of the planned collaboration:

Currently UNDP and Geopark are working on an alliance that seeks to design and implement a strategy for territorial economic reactivation in the company's territories of intervention and operation. This alliance aims to design and implement a territorial economic reactivation program through the development of strategies that promote livelihoods and, increase income-generating opportunities aimed at vulnerable populations, organizations and enterprises in rural and urban areas in the surrounding area of GEOPARK's operations. This will be done through infrastructure construction programs, job creation and organizational, community and business strengthening.

The first component of the proposed territorial reactivation model has three main elements, the first aimed at generating capabilities in local actors for decision-making in times of pandemic, starting from understanding the socioeconomic impacts caused in the territories by Covid 19 and counting with recommendations for reactivation. A second element promotes the management of alliances for local reactivation by mapping and analyzing national, departmental, and local strategies for reactivation. A third element aimed at generating employment opportunities and entrepreneurship through rural development projects, social infrastructure and strengthening entrepreneurs. These will be accompanied by a cross-cutting monitoring and evaluation strategy that allows to objectively analyze the implementation of each of the projects and activities that are part of the model, in addition to a knowledge management process that contributes to the creation of value for the company.

Comments: A normal high-risk analysis will be conducted, taking into account that it is a company belonging to the oil and gas sector.

Step 1: Assess the Company against UNDP Exclusionary Criteria

1.1 Exclusionary criteria

UNDP has defined a set of exclusionary criteria outlining those business practices considered unacceptable to the organization. The Policy on Due Diligence and Partnerships with the Private Sector (2013) defines the threshold limits when UNDP cannot engage with companies involved in the below mentioned exclusionary criteria. The thresholds have also been defined for parent companies, subsidiaries and supply chain, remember to also check any potential issues with them. If any evidence is found, the issue needs to be compared with the exclusionary criteria matrix and defined whether the evidence is within or above the exclusionary criteria threshold.

<p>Manufacture, sale or distribution of controversial weapons or their components, including cluster bombs, anti-personnel mines, biological or chemical weapons or nuclear weapons.¹⁴⁹</p>	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence 150 <input type="checkbox"/> Not known
<p>Manufacture, sale or distribution of armaments and/or weapons or their components, including military supplies and equipment.</p>	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence above threshold <input type="checkbox"/> Evidence within threshold <input type="checkbox"/> Not known
<p>Replica weapons marketed to children.</p>	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence above threshold <input type="checkbox"/> Evidence within threshold <input type="checkbox"/> Not known
<p>Manufacture, sale or distribution of tobacco or tobacco products.</p>	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence above threshold <input type="checkbox"/> Evidence within threshold <input type="checkbox"/> Not known
<p>Violations of UN sanctions and the relevant conventions, treaties, and resolutions, and inclusion in UN ineligibility lists or UNDP vendor sanctions list.</p>	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence above threshold <input type="checkbox"/> Evidence within threshold <input type="checkbox"/> Not known

¹⁴⁹ [The Convention on Certain Conventional Weapons](#), [ICRC](#), [Ethical Investment Research Services](#) and [Ethix Sri Advisors Guidance to institutional investors](#) also covers non-detectable fragments, blinding laser weapons, incendiary weapons, booby traps and depleted uranium ammunition.

¹⁵⁰ There is no threshold option as UNDP will not, under any circumstances, partner with a company that has activities related to controversial weapons.

Involvement in the manufacture, sale and distribution of pornography.	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence above threshold <input type="checkbox"/> Evidence within threshold <input type="checkbox"/> Not known
Manufacture, sale or distribution of substances subject to international bans or phase-outs ¹⁵¹ , and wildlife or products regulated under the CITES ¹⁵²	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence above threshold <input type="checkbox"/> Evidence within threshold <input type="checkbox"/> Not known
Gambling including casinos, betting etc. (excluding lotteries with charitable objectives).	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence above threshold <input type="checkbox"/> Evidence within threshold <input type="checkbox"/> Not known
Violation of human rights or complicity in human rights violations.	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence above threshold <input type="checkbox"/> Evidence within threshold <input type="checkbox"/> Not known
Use or toleration of forced or compulsory labor.	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence above threshold

151 Initiatives and activities with private sector entities falling under the auspices of the Montreal Protocol; and the Stockholm and Minamata Conventions on Ozone depleting substances, POPs and Mercury respectively, will not be covered under this policy but under their specific guidelines.

152 CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora) is an international agreement between governments. Its aim is to ensure that international trade in specimens of wild animals and plants does not threaten their survival. <http://www.cites.org>

		<input type="checkbox"/> Evidence within threshold <input type="checkbox"/> Not known
Use or toleration of child labor.	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence above threshold <input type="checkbox"/> Evidence within threshold <input type="checkbox"/> Not known

Comments: There is no evidence of exclusion criteria that prevent or limit an alliance between the company and UNDP

[GeoPark is committed to the human rights of employees, contractors and communities neighboring the operation.](#)

The company's human rights vision:

GeoPark is committed to respecting the principles in the UN Universal Declaration of Human Rights (1948) and the rights of indigenous peoples in accordance with Convention 169 of the International Labor Organization (ILO) on Indigenous and Tribal Peoples (1989), as well as the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP, 2007). This frames the engagement approach with indigenous peoples regarding their operations located in indigenous territories. This commitment includes participating in prior consultation processes in order to obtain consent to operate in that territory, with full respect for Colombian law.

Voluntary Principles on Human Rights and Security:

To ensure that company operations do not adversely affect the human rights of employees or neighboring communities, GeoPark adheres to the standards established by the Voluntary Principles on Security and Human Rights. These principles constitute the best global practices in the industry to guarantee human rights and security.

[Public-private statement regarding human rights in Colombia:](#)

The National Government of Colombia, through the Presidential Council for Human Rights, launched the National Action Plan for Human Rights and Business, a public policy document that seeks “the implementation of the United Nations Guiding Principles on Business and Rights Humans (HR)”. In this framework, the Ministry of Mines and Energy, the Presidential Council for Human Rights, the National Hydrocarbons Agency (ANH), the Colombian Petroleum Association (ACP) and the Colombian Chamber of Petroleum Goods and Services (Campetrol) promoted the creation of the Pilot Group on Human Rights of the Hydrocarbons Sector, which links 20 organizations in the same scenario, including operating companies, service companies and the regulatory entity. GeoPark participates in this project.

The Group is a space that allows the exchange of experiences and the definition of good practices in human rights typical of the hydrocarbon sector, seeking to:

- Undertake joint actions to build trust and manage impacts and operational risks on human rights in common areas of operation to transform the territories.
- Land, assertively and through concrete actions, international standards and public policy in practice in the hydrocarbon sector.

- Achieve processes and actions that are relevant, useful, and are built from a practical sense.
- Design a joint strategy that enables the consolidation of advocacy processes in public policy and decision-making.

As members of the Group, the company is trained by academic experts in human rights through the Business School of the Sergio Arboleda University, and they advanced in the collective construction of priorities and in the definition of the 2020 Work Plan based on 4 components: management of knowledge, exchange of experiences and practices, visibility of the Group, and management and development.

Conclusion			
<input type="checkbox"/> ● All “No evidence” boxes ticked and “Limited due diligence” selected above: 4 Continue with the risk assessment.	<input checked="" type="checkbox"/> ● All “No evidence” boxes ticked and “Normal due diligence” selected above: 5 Continue with the risk assessment.	<input type="checkbox"/> ● One or more “Evidence within threshold” or “Not known” boxes ticked / Exception 6 Explain in the comment box why a partnership is still worth pursuing. 7 The complete risk assessment tool including your conclusions must be escalated to HQ after finalization.	<input type="checkbox"/> ● Any exclusionary criteria above threshold, or several “Not known” boxes ticked: 8 Refrain from engaging
Comments: Bearing in mind that the alliance between GeoPark and UNDP seeks to work to promote and encourage territorial economic reactivation through strategies that promote livelihoods and increase income-generating opportunities aimed at vulnerable populations, organizations and enterprises in rural and urban areas in GeoPark's operating environment - it is feasible to establish an alliance with the company.			

Step 2: Research Potential Controversies

2.1 Potential Controversies

Potential partner companies may be exposed to controversies or there may be factors that can cause reputational risks to UNDP. Annex 2 of the *Risk Assessment Tool Guidelines* contains guidance on how to gather information.

List below any controversies and possible reputational risks that are not already covered in step 1.1., i.e. controversies not directly related to exclusionary criteria. Use the comment box to provide details of the criticism. Controversies and reputational risks may relate to issues such as:

<p>Labor</p> <ul style="list-style-type: none"> • Discrimination at work¹⁵³ • Freedom of association and the right to collective bargaining • Occupational health and safety • Poor employment conditions 	<p>Governance</p> <ul style="list-style-type: none"> • Corruption • Fraud • Tax evasion
<p>Communities</p> <ul style="list-style-type: none"> • Community health and safety • Impact on livelihoods • Local participation • Social discrimination • Indigenous peoples 	<p>Product-related</p> <ul style="list-style-type: none"> • Product safety • Controversial products or services, e.g. use of conflict minerals in the products • Marketing of breast milk substitutes contrary to the WHO's International Code of Marketing of Breast-Milk Substitutes.¹⁵⁴
<p>Environment</p> <ul style="list-style-type: none"> • Pollution (including climate change) • Impact on ecosystems and landscapes Overuse of resources • Waste management • Mistreatment of animals 	<p>Ownership or management</p> <ul style="list-style-type: none"> • Controversies related to the individuals owning or managing the company

Significant criticism from local or global NGOs / media/social media or other significant partners of UNDP (including CSO advisory committee, marginalized people etc.) locally or globally

No evidence

Evidence
 Not known

¹⁵³ This also includes assessing potential partner's commitment to gender equity. For example, do they have family friendly policies, equal wages for equal jobs, work-life balance policies, etc.

¹⁵⁴ The WHO's International Code of Marketing of Breast-Milk Substitutes is available at [WHO website](#)

<p>Criticisms of the company's performance are evident both in Colombia and in other countries in the region. In this sense, there are complaints published on the web about bad practices in social, environmental and labor matters in municipalities such as Tauramena and Villanueva (Casanare). Link 1, Link 2, Link 3, Link 4, Link 5, Link 6, Link 7</p> <p>Similarly, there are repeated criticisms in countries such as Peru by indigenous communities that mention environmental impacts on their territories and violation of their autonomy. Link 1, Link 2, Link 3, Link 4 However, on these same facts, there are public pronouncements from local authorities in favor of the company. Link 1</p> <p>In Chile there is also evidence of criticism of GeoPark's operations. In this country it is criticized, and there are even formal complaints from the Superintendency of the Environment for violating environmental regulations. Link 1, Link 2</p>		
<p>Significant criticism from governmental agencies / political parties that makes UNDP participation politically sensitive</p>	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence <input type="checkbox"/> Not known
<p>Recurring local public events against the company (e.g. local demonstrations)</p> <p>In Colombia there are protests in the department of Casanare due to environmental issues, criticism of labor practices and local suppliers . Link 1, Link 2.</p> <p>In Peru there are protests against the company by indigenous communities. Link 1 however the company accepted? and left the territory Link 1</p>	<input type="checkbox"/> No evidence	<input checked="" type="checkbox"/> Evidence <input type="checkbox"/> Not known
<p>Global public events (e.g. significant demonstrations at several locations, significant online protests)</p>	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence <input type="checkbox"/> Not known
<p>Relevant legal case in progress/in court etc.</p> <p>A lawsuit against the company by the Superintendency of the Environment in Chile, in which the company filed discharges. Link 1</p> <p>No evidence of final judgement.</p>	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence <input type="checkbox"/> Not known
<p>Other (specify):</p>	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence <input type="checkbox"/> Not known

Comments: Due to the nature of the company's operations, there may be criticism from local communities, which (1) are usually treated in accordance with the best practices of the industry, prioritizing their commitments to the community and their corporate values, (2) the actions of the company have not been frequent or repetitive. On the last [SPEED report](#) that the company made in 2019, the culture of the company regarding human rights and its principles is detailed.

Conclusion

● All “No evidence” boxes ticked

9 ‘Normal due diligence’ - Continue with the risk assessment.

10 ‘Limited due diligence’ - If there was no evidence of exclusionary criteria and no evidence of significant controversies you may skip Step 3 and move directly to the Step 4 “Make a decision”. The decision can be taken locally.

● One or more “Evidence” or “Not known” boxes ticked

11 Research publicly available sources (e.g. search for public statements from the company), or contact the company to assess how it addresses the identified significant controversies. List these elements in the comment box below.

12 Continue with the risk assessment. Consult with HQ to determine escalation of the decision to HQ after risk assessment finalization.

Comments: Taking into account the material found in the research, the company claims to be taking the necessary corrective and preventive measures to prevent these situations. GeoPark is strengthening its ethical policies and implementing strategies with a view to improving the working conditions of its workers.

Some of the certifications that the company has and that contribute to the commitments with the environment, communities and workers are:

- [ISO 14001:2015 Certificate](#)
- [Verification of greenhouse gases, ICONTEC](#)
- [Certification of favorable work environment](#)
- [Recognition of best social practices in the energy industry](#)
- [Bureau Veritas Safeguard Seal](#)

As well as company policies,

Policies:

1. Agent Certificate
2. Anti-Bribery Policy
3. Compliance Program Against Bribery and Corrupt Practices
4. Policy on Gifts, Sponsorships, Donations and Contributions.
5. Policies on Road Safety, Prevention of Alcohol Consumption and Psychoactive Substances.
6. Corporate Supply Policy
7. HS corporate policy
8. Corporate Environmental Policy
9. Corporate Social Responsibility Policy
10. Code of Ethics and SOX controls
11. Prevention of money laundering
12. Supply contracting policy
13. Compensation and benefits policy

Step 3: Assess the Company’s Commitment to ESG and the Partnership Risks and Benefits

3 a) Company’s engagements ¹⁵⁵		
Is the company a participant in the UN Global Compact?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/> Not known

¹⁵⁵ The company does not have to have a positive answer to all these questions, especially SMEs and even larger domestically oriented companies may not be engaged in these initiatives.

<p>If “yes” to the question above: Is the company actively communicating its progress and level of reporting? See: General Communication on Progress (COP)</p>	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known
<p>Does the company have any sustainability-related certifications or reporting (e.g. ISO14001, SA8000, AA1000, OHSAS 18001, or GRI Principles)? Provide details in the comment box below.</p> <p>Currently, GeoPark has annual sustainability reports since 2014. The Sustainability report was prepared under the GRI principles (G4). In 2016, the company began the process of implementing the ISO 14001 standard with awareness programs and training for employees on the efficient use of natural resources, environmental regulations and compliance, as well as awareness of the communities in the rational use of natural resources (recycling and proper use and disposal of water).</p> <p>In 2018 the company obtained the certification ISO 14001:2015. The company is also ISO 2600 certified for social responsibility and issues annual public sustainability reports</p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known
<p>Is the company included in any sustainability or ESG-related indices (e.g. FTSE4Good, Dow Jones Sustainability Indexes, etc.), or similar national/regional initiatives? Does the company abide by any voluntary sustainability or ethical principles or guidelines¹⁵⁶? List them in the comment box below.</p> <p>GeoPark has policies to guide its operations in a sustainable way as reflected in its integrated value system SPEED, according to which the agreements are established in i. Health, ii. Security, iii. Prosperity (understood as the generation of value to all stakeholders), vi. Employees and v. Environmental and community environment. In addition, GeoPark has an environmental agreement and a health and safety agreement that establishes parameters for responsible action.</p> <p>In terms of corporate social responsibility, the company has led programs with local, departmental and national governments, aligning its voluntary investment programs in the areas of influence of its operations with the Development Plans established by the</p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known

¹⁵⁶ Examples of voluntary sustainability or ethical principles include: e.g. Principles for Responsible Investment, Extractive Industries Transparency Initiative, Voluntary Principles on Security and Human Rights, Equator Principles.

territorial entities and by the regulations of the ANH (National Hydrocarbons Agency) for its community benefit programs.		
Comments:		

3 b) Company's commitment to ESG issues ¹⁵⁷		
Human rights:		
<p>Does the company have a policy and a monitoring system that seeks to prevent or mitigate adverse human rights impacts, especially on the local communities, that are directly linked to its operations? 158</p> <p>Although the company does not have a defined policy for the monitoring and prevention of impacts on human rights, it has established lines of intervention, investment and responsibility towards the communities and regions where it has presence in order to generate development sustainable. The lines are as follows:</p> <ul style="list-style-type: none"> • Communities' well-being and quality of life • Institutional strengthening • Community and production development • Education, culture and sports <p>In this regard, GeoPark managed to advance in 2017 with 100% of its operational plans, going with zero social incidents or community interruptions to its operations, consolidating itself as the third oil operator in the country. The design and implementation of this framework allowed generating the following programs in the business units:</p> <ol style="list-style-type: none"> 1. Proactive Observing Program -POP 2. SOS Safety Operating Standard 3. Occupational Health 4. Reporting and Investigation of IRIS incidents 5. Response to emergencies and crises 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known

¹⁵⁷ The company does not have to have a positive answer to all these questions, especially SMEs and even larger domestically oriented companies may not have all the different policies and systems in place.

¹⁵⁸ An example of a [framework specifically designed for human rights](#)

<p>The management of road safety stands out considering the high volume of production, the multiple simultaneous operational activities and the need to transport crude oil by land. More than 2M kilometers traveled by vehicles without incident on people, and alignment with the International Oil & Gas Producers (IOGP) standards in health and safety are indicators of the company's commitment to safe operation.</p>		
<p>Does the policy and a monitoring system cover occupational health and safety issues, ensuring that workers are afforded safe, suitable and sanitary working conditions?¹⁵⁹</p> <p>As mentioned above, the company has a framework on health and safety in place that allows them to implement programs following a prevention approach for the next years.</p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known
<p>Does the policy and monitoring system cover land or property issues, i.e. does the company ensure that all affected owners and users of the land or property used by the company have been adequately consulted and compensated?</p> <p>The company claims to have a mechanism aimed at protecting landowners in which the company has presence or intervention.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/> No <input type="checkbox"/> Not known
<p>Does the policy and monitoring system cover the rights of indigenous peoples, and in particular the principles of self-determination and self-governance, the right to lands and natural resources, including issues of resettlement, and the right to free, prior and informed consent?</p> <p>Yes. Although the company mentions that in Colombia it does not have a presence in indigenous territories, it is considered within the line of work with communities. For example, in the Morona Project of the Loreto Province in Peru, the company started, an important program to strengthen the capacities of the residents of the communities together with the Peruvian Foundation for the Conservation of Nature (Pronaturaleza), located in the upper basin of the Morona river, with the purpose of stimulating the production of native cacao, fishing and wildlife management.</p> <p>These activities had the support of indigenous organizations, such as the Shuar del Morona (OSHDEM), which groups together the communities of the Wampis ethnic group, and the Achuar del Situche and Anaz del Morona Federation (FASAM).</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/> No <input type="checkbox"/> Not known

¹⁵⁹ Useful resources can be found at [ILO website](#)

<p>Does the policy and monitoring system cover the company's security arrangements, i.e. whether or not they comply with international human rights principles for law enforcement and the use of force (e.g. have security personnel received adequate human rights training)?</p> <p>Yes. GeoPark managed to consolidate and articulate the key components of his management: Safety, Prosperity, Employees, the Environmental Environment and Community Development through SPEED. These components embody all commitments to all its stakeholders and have been accepted by all employees in each country where the company is present, as the great umbrella that covers all of our management, and as a hallmark of the company.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/> No <input type="checkbox"/> Not known
<p>Does the company have an appropriate dispute resolution mechanism that is in line with the human rights norms and principles?</p> <p>Yes. The company has a system for managing requests, complaints and claims, backed by software that guarantees the traceability of PQR's management from registration to closure.</p> <p>The Ethics Line is also established as a free and confidential service that guarantees anonymity in order to be able to report irregularities detected in the workplace.</p> <p>In GeoPark, the service is outsourced to the provider "Resguarda" that allows to report anonymously, guaranteeing confidentiality, availability 365 days a year.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/> No <input type="checkbox"/> Not known
<p>Does the company have a policy and a monitoring system that seeks to prevent or mitigate adverse human rights impacts that are directly linked to products and services by its business relationships (business partners, entities in its value chain, other non-State or State entities)?</p> <p>The company states that they are building the protocol for the defense, protection and promotion of human rights.</p>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/> Not known
Labor:		
<p>Does the company have a policy and a monitoring system to ensure fair labor practices¹⁶⁰ at its operations?</p> <p>Yes. Considering the high demand for goods and services in the Colombian business unit, and the magnitude of its operation, and</p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known

¹⁶⁰ International Labor Standards provide a framework for fair labor practices. The fundamental conventions include: Freedom of Association and Protection of the Right to Organise Convention, 1948; Right to Organise and Collective Bargaining Convention, 1949; Forced Labour Convention, 1930; Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999; Equal Remuneration Convention, 1951; and Discrimination (Employment and Occupation) Convention, 1958. ([ILO](#))

<p>consequently the significant number of workers who are hired by the contracting companies, the company saw a need to guarantee the promise of value in relation to local job opportunities and the well-being of workers and created the Labor Relations Department. During 2017, 1,400 workers were hired by contractor companies in Colombia, and the implementation of the management and labor support strategy began, which seeks to promote good practices related to decent and dignified work.</p>		
<p>Does the policy and monitoring system adequately ensure equal opportunity to all employees and applicants regardless of ethnic origin, color, age, gender, sexual orientation, religion, marital status?</p> <p>Yes. The company's purpose is to Create Value and Reward and makes it tangible in the recognition of the human potential offered by the territories in which they operate, for which the company seeks to privilege local labor participation and stimulate its growth from processes of training and qualification. The company promotes in all contractors, the preferential hiring of local labor without any type of discrimination.</p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known
<p>Does the company have a policy and a monitoring system that seeks to promote fair labor practices in its interactions with suppliers and business partners?</p> <p>Yes. It ensures compliance with the principles and values in the value chain, based on demands on Contractors and Suppliers that, as binding annexes to the signed commercial contracts, must be fulfilled, in labor matters, good neighborliness, the environment and HS.</p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known
<p>Does the policy and monitoring system ensure freedom of association and the right to collective bargaining?</p> <p>Yes. The company has a line of work-oriented to dialogue and citizen participation, taking into account that these processes are considered the best way to create and ensure sustainable and credible relationships with its neighbors; it is also the way in which they transparently, honestly and genuinely build the capital of trust and sustenance to make our operation viable and sustainable.</p> <p>In this sense, GeoPark establishes proposals for the social, environmental, and economic management of the environment, as a collective construction product generated from direct interaction, rapprochement, and informed dialogues between representatives of its different business areas, with the different groups of interest.</p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known

<p>Does the policy and monitoring system ensure the elimination of forced or compulsory labor?</p> <p>Yes. With the management and labor support strategy, the company seeks to promote good practices aimed at decent and dignified work.</p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known
<p>Does the policy and monitoring system ensure the elimination of child labor?</p> <p>Yes. As previously mentioned, the company seeks to promote decent and quality work, which includes the rejection of any form of child labor or exploitation.</p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known
<p>Environment:</p>		
<p>Does the company have a policy and a monitoring system to minimize environmental damage at its operations?</p> <p>Yes. Considering the magnitude of GeoPark's operations in Colombia, the pilot project to calculate greenhouse gases was launched, using as a reference the Carbon Emissions Estimator Tool (CEET) protocol of the International Finance Corporation -IFC. Its scope has been limited to direct emissions controlled by GeoPark and includes the calculation of carbon dioxide (CO₂), nitrous oxide (N₂O), methane (CH₄) and does not take into account water vapor (H₂O) and ozone (O₃), considering them not representative.</p> <p>Additionally, GeoPark has an agreement with The Smithsonian Conservation Biology Institute's Center for Conservation and Sustainability (CCS) to develop the Morona Project Biodiversity Monitoring and Evaluation Program (Morona BMAP). This alliance aims to evaluate and recommend how to avoid, minimize, and restore impacts of industrial development on wildlife present in the project's area of influence.</p> <p>The program results will provide impartial, independent and transparent information on the biodiversity of the area, which will allow GeoPark to adhere to international best practices and adapt its management during the construction and operation of the project and restore habitats after it has occurred. the impact. At all stages of the process, the findings are shared with the communities in the project's area of influence.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/> No <input type="checkbox"/> Not known

<p>Does the company have a policy and a monitoring system which applies to working with suppliers to improve environmental performance, extending responsibility down the supply chain?</p> <p>Yes. The company began the calculation of the water footprint under the following premises: Scope: For the calculation of the Water Footprint (HH) they used the concept of Blue Water Footprint, which refers to the consumption of blue water resources (fresh water), surface or underground, throughout the crude production chain and has been determined only for GeoPark's operations in Colombia.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/> No <input type="checkbox"/> Not known
<p>Does the company have a policy and a monitoring system to reduce emissions (emissions to air, waste and effluents)?</p> <p>Yes. As mentioned previously, the company is implementing a program to measure the impact of Greenhouse Gases (GHG).</p> <p>Its scope has been limited to direct emissions controlled by GeoPark and includes the calculation of carbon dioxide (CO₂), nitrous oxide (N₂O), methane (CH₄)</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/> No <input type="checkbox"/> Not known
<p>Does the company have a policy and a monitoring system to ensure that natural resources are used in a sustainable manner?</p> <p>To make the company's footprint cleaner and more discreet, the company will expand opportunities and open up more areas of work. The company understands that long-term well-being and survival requires adequate coexistence with natural resources and their care. For this reason, the company seeks to more than comply with local environmental regulations, regularly evaluate operations, recompose or compensate in an equitable way any damage and explore alternatives to avoid or reduce its impact on the territory, through the application of new technologies or operating methods. The company is certified in Colombia with certification in the ISO 14001 standard on rational use of natural resources, recycling issues, proper use and disposal of water, among other issues.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/> No <input type="checkbox"/> Not known
<p>Does the company take action to reduce energy consumption?</p> <p>Yes. GeoPark uses three fuels or energy sources: Natural Gas, Fuel Oil and Biodiesel to supply its energy needs. The rational use of energy in GeoPark in its production chain is part of the business. In a strategic way, GeoPark has been implementing alternative energies in its activities to reduce fuel consumption and improve the energy efficiency index.</p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known

<p>In Colombia, GeoPark implements alternative energies in its activities to reduce fuel consumption and improve the energy efficiency index. This is how the surveillance booths to enter the operational areas have solar cell systems to supply the lighting required in them; Likewise, they have implemented solar panels for lighting on access roads, which has indicated that they are ceasing to use a total of 37.8 kW / day (1.6 Kw-Hr), in addition to the reduction of a fraction of the emission of Greenhouse Gases (GHG).</p>		
<p>Does the company prevent, minimize and remedy significant impacts on biodiversity?</p> <p>Yes. The Company complies with the social and environmental obligations contained in the Environmental Licenses and other applicable legislation for the hydrocarbon sector and activity. However, within the framework of their environmental Commitment, they have established agreements with Natural Parks, Environmental NGOs, IDEAM, contributing to the care and preservation of biodiversity and generating installed capacity in the region in which we operate to minimize your natural disaster risks.</p> <p>In Colombia, the management around initiatives for the management and conservation of ecosystems and flora and fauna stands out in 2017, through an agreement with the Orinoquia Biodiversa Foundation, which will allow a study to be carried out on “Valuation of ecosystem services, characterization of biodiversity and wetlands”, in the same way, a study is being conducted that will allow an inventory of the fauna of the Mata de la Urama integrated management district in order to implement conservation and protection measures for this important ecosystem.</p> <p>Additionally, GeoPark has an agreement with The Smithsonian Conservation Biology Institute's Center for Conservation and Sustainability (CCS) to develop the Morona Project Biodiversity Monitoring and Evaluation Program (Morona BMAP). This alliance aims to evaluate and recommend how to avoid, minimize, and restore impacts of industrial development on wildlife present in the project's area of influence.</p> <p>The program results will provide impartial, independent and transparent information on the biodiversity of the area, which will allow GeoPark to adhere to international best practices and adapt its management during the construction and operation of the project and restore habitats after it has occurred. the impact. At all stages of</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> Not applicable</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Not known</p>

<p>the process, the findings are shared with the communities in the project's area of influence.</p>		
<p>Does the company have emergency procedures in place to prevent and address industrial accidents affecting the environment and human health effectively?</p> <p>Yes. It has measures established in safety and health policies at work and monitors with indicators: Disabling accident rate (LTIR); Recordable Incident Index (TRIR); Vehicle accident rate.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/> No <input type="checkbox"/> Not known
<p>Good governance:</p>		
<p>Does the company have a policy and a monitoring system stating that it will not engage in corruption at any time or in any form in its interaction with suppliers, intermediaries, governments and business partners?</p> <p>Yes. Through its Legal & Governance department, the Company has developed and implemented a Compliance Program to prevent the violation of any and all laws and anti-bribery and anti-corruption treaties at the national and international levels. It also has a compliance policy against bribery and corrupt practices.</p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known
<p>Comments:</p> <ul style="list-style-type: none"> • i) GeoPark since its inception in 2002 and until 2018, had as a Partner the IFC of the World Bank, acquiring performance commitments in sustainability, aligned with the Standards determined by the IFC for its partners and clients; They also have ISO 14001 Certification, and Good Practices in ISO 26000. • ii) From the environmental management, the comprehensive environmental risk analysis process is carried out (including human rights) and the corresponding action plans are established to mitigate and / or early anticipate the management of risks and impacts of its exploration activities and hydrocarbon production. • iii) The company has a public commitment established in its SPEED Value System that guides the actions of the organization in relation to employees, the environment, community development and the care and health of people in the development of operations. • iv) GeoPark has an Ethics Line, a free and confidential service that guarantees anonymity so that we can report irregularities detected in the workplace. The service is outsourced to the provider "Resguarda" that grants the possibility of making reports anonymously, guaranteeing confidentiality, availability 365 days a year. 		

Conclusion

Is the company's commitment to ESG appropriate **in relation** to its exposure to risks? In principle, most answers would be expected to be positive for multinationals. For smaller and domestically oriented companies more flexibility can be applied.

Yes

13Continue risk assessment.

No or not known / exception

14Explain in the comment box below why you believe that the company is willing and able to address significant gaps.

15Continue risk assessment.

No or not known

16Refrain from engaging.

Comments:

The company states that it is building its policy to promote and defend human rights for third parties and suppliers. In this sense and taking into account that the other results were positive, it is considered that the company is committed to the development and execution of actions and mechanisms that allow it to improve to close the gaps that it may present continuously.

Likewise, [GeoPark is committed to the human rights of the employees, contractors and communities neighboring the operation.](#)

The company's human rights vision:

GeoPark is committed to respecting the principles contemplated in the UN Universal Declaration of Human Rights (1948) and the rights of indigenous peoples following Convention 169 of the International Labor Organization (ILO) on Indigenous and Tribal Peoples (1989), as well as the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP, 2007). This frames the approach to engaging with indigenous peoples regarding their operations located in territories with the presence of indigenous peoples. This commitment includes participating in prior consultation processes in order to obtain consent to operate in that territory, with full respect for Colombian law.

Voluntary Principles on Human Rights and Security:

To ensure that company operations do not adversely affect the human rights of employees or neighboring communities, GeoPark adheres to the standards established by the Voluntary Principles on Security and Human Rights. These principles constitute the best global practices in the industry to guarantee human rights and security.

[Public-private statement regarding human rights in Colombia:](#)

The National Government of Colombia, through the Presidential Council for Human Rights, launched the National Action Plan for Human Rights and Business, a public policy document that seeks “the implementation of the United Nations Guiding Principles on Business and Rights Humans (HR)”. In this framework, the Ministry of Mines and Energy, the Presidential Council for Human Rights, the National Hydrocarbons Agency (ANH), the Colombian Petroleum Association (ACP) and the Colombian Chamber of Petroleum Goods and Services (Campetrol) promoted the creation of the Pilot Group on Human Rights of the Hydrocarbons Sector, which links 20 organizations in the same scenario, including operating companies, service companies and the regulatory entity. GeoPark participates in this project.

The Group is a space that allows the exchange of experiences and the definition of minimum actions and good practices in human rights typical of the hydrocarbon sector, which seeks to:

- ✘ Undertake joint actions to build trust and manage impacts and operational risks on human rights in common areas of operation to transform the territories.

- ✘ Land, assertively and through concrete actions, international standards and public policy in practice in the hydrocarbon sector.
- ✘ Achieve processes and actions that are relevant, useful and are built from a practical sense.
- ✘ Design a joint strategy that enables the consolidation of advocacy processes in public policy and decision-making. Como miembros del Grupo, la empresa esta capacitada por expertos académicos en DDHH a través de la Escuela de Negocios de la Universidad Sergio Arboleda, y avanzaron en la construcción colectiva de prioridades y en la definición del Plan de Trabajo 2020 basado en 4 componentes: gestión del conocimiento, intercambio de experiencias y prácticas, visibilización del Grupo, y gestión y desarrollo.

3 c) Partnership Risks

UNDP must maintain impartiality and accountability to all of its private and public stakeholders. UNDP's engagement with the private sector must therefore allow UNDP to remain unbiased, while supporting its overall goals and objectives. Similarly, the agreed partnership must not in any way compromise the integrity and independence of UNDP or that of the parties involved.

Evaluate market risks and select applicable statements below:

<p>Impartiality</p> <p>UNDP will not – and will not be perceived to – give any unfair advantage to one or more businesses within an industry, sector or market, neither is it perceived to have endorsed a particular business, product or service.</p>	<input checked="" type="checkbox"/> Correct	<input type="checkbox"/> Incorrect <input type="checkbox"/> Not known
<p>No market distortion</p> <p>The partnership will not have negative unintended consequences by distorting a market by giving one business or group of businesses an unfair advantage and/or by crowding out other economic actors.</p>	<input checked="" type="checkbox"/> Correct	<input type="checkbox"/> Incorrect <input type="checkbox"/> Not known
<p>Non-exclusivity</p> <p>UNDP will not enter in an exclusive relationship with a company that would exclude UNDP from working with another company from the same sector.</p>	<input checked="" type="checkbox"/> Correct	<input type="checkbox"/> Incorrect <input type="checkbox"/> Not known
<p>Reasonable benefit</p> <p>The benefit to the company from the collaboration will not be disproportionately high compared to the public benefits or benefits to UNDP.</p>	<input checked="" type="checkbox"/> Correct	<input type="checkbox"/> Incorrect <input type="checkbox"/> Not known
<p>Non-dependency in procurement / No conflict of interest</p>	<input checked="" type="checkbox"/> Correct	<input type="checkbox"/> Incorrect <input type="checkbox"/> Not known

The company has been informed that partnering with UNDP will not provide preferential treatment in procurement process.		
Political Risks¹⁶¹ It is unlikely that any potential political risks would arise during the partnership.	<input checked="" type="checkbox"/> Correct	<input type="checkbox"/> Incorrect <input type="checkbox"/> Not known
Comments: All parties are clear about the scope and objective of this alliance.		

3 d) Partnership Benefits		
<p>The balance between expected risks and expected benefits must be in line with the risk tolerance of UNDP. UNDP may generally be willing to bear higher risks if the benefits of the partnership clearly outweigh the risks.</p> <p>Select applicable statements below:</p>		
There are significant potential gains in terms of achieving one or more of UNDP's strategic priorities within the UNDP Strategic Plan and Private Sector Strategy.	<input checked="" type="checkbox"/> Correct	<input type="checkbox"/> Incorrect <input type="checkbox"/> Not known
The company is among the most suitable partners available in the country context.	<input checked="" type="checkbox"/> Correct	<input type="checkbox"/> Incorrect <input type="checkbox"/> Not known
There is considerable potential for long-term engagement with the company, in which resources are contributed on a significant scale, and there may be a significant outcome in terms of human development.	<input checked="" type="checkbox"/> Correct	<input type="checkbox"/> Incorrect <input type="checkbox"/> Not known
The partnership is likely to create immediate results in the well-being of communities that are facing high rates of poverty and a low human development.	<input checked="" type="checkbox"/> Correct	<input type="checkbox"/> Incorrect <input type="checkbox"/> Not known
The partnership will create wider awareness of, and support for, UNDP and its causes from positive exposure and publicity surrounding the collaboration.	<input checked="" type="checkbox"/> Correct <input type="checkbox"/> Not relevant	<input type="checkbox"/> Incorrect <input type="checkbox"/> Not known
The partnership allows access to new innovations for development.	<input checked="" type="checkbox"/> Correct <input type="checkbox"/> Not relevant	<input type="checkbox"/> Incorrect <input type="checkbox"/> Not known
Other (specify):	<input type="checkbox"/> Correct	<input type="checkbox"/> Incorrect

¹⁶¹ Political risks include the consequences and likelihood of changes in government. Special attention should be given to countries under United Nations sanctions. Political risks also include the risk of having the government withdraw support for the partnership or UNDP engaging in close partnership with an actor that is seen as business arm of the political elite.

		<input type="checkbox"/> Not known
<p>Comments:</p> <p>It is clear for the parties involved that this alliance would seek to implement the specific actions that seek to design and implement a territorial economic reactivation program by developing strategies that promote livelihoods and increase income generation opportunities aimed at vulnerable populations. organizations and enterprises in rural and urban areas in GEOPARK's operating environment, through infrastructure construction programs, job creation, and organizational, community and business strengthening.</p> <p>A broad opportunity to gain benefits for UNDP and communities is identified in establishing this partnership. In the first place, in 2018, the Ministry of Mines and Energy and the National Hydrocarbons Agency (ANH) recognized GeoPark's operations for their good management of conflict situations with local communities " Among 107 experiences of the mining-energy sector, Geopark He was awarded by the National Government in the category "management of social conflict", for the work he does on a daily basis in creating value and giving back to the operating neighbors. "</p> <p>Similarly, there are opportunities to expand the alliance in different territories where the company has operations.</p>		

Conclusion		
<p><input checked="" type="checkbox"/> ● All "Correct" boxes ticked under Market risks and Political risks.</p> <p>The risk-benefit analysis indicates that the partnership is worth pursuing.</p> <p>17Go to step 4 "Make a decision".</p>	<p><input type="checkbox"/> ● One or more "Incorrect" or "Not known" boxes ticked under step Market risks and Political risks, but they are clearly outweighed by the "Yes" boxes ticked under step Benefits.</p> <p>The risk-benefit analysis indicates that the partnership is worth pursuing.</p> <p>18Record your reasoning in the comment box below.</p> <p>19Go to step 4 "Make a decision".</p>	<p><input type="checkbox"/> ● One or more "Incorrect" or "Not known" boxes ticked under step Market risks and Political risks, and they are <i>not</i> sufficiently outweighed by benefits.</p> <p>20Refrain from engaging.</p>

Comments:




This alliance will be positive for all parties involved as it seeks:

1. Generation of local capacities for decision-making, through the analysis of the socioeconomic impact of COVID-19 at the territorial level, the identification of socioeconomic gaps and the definition and management of a multi-actor action plan for the reactivation and promotion of the sustainable development.
2. Reactivation and strengthening of local urban productive units through a process of accompaniment and technical assistance for the generation of business habits and the use of digital tools.
3. Contribute to the reactivation of the rural economy, through the productive, organizational and commercial strengthening of rural producer organizations.
4. Model for the construction of infrastructure projects and organizational and community strengthening that contribute to social and economic development.
5. Promotion of human and community development

Step 4: Make a Decision

Based on the information collected in this template, make a suggestion as to whether or not UNDP should engage in the partnership. Some partnerships may be considered worth pursuing given certain conditions. These conditions should be defined at this stage and should be communicated to and accepted by the company. Use the box below to set out your proposal as to whether or not UNDP should engage in the partnership, including the conditions, if applicable. Remember that it is essential that there is separation between the staff who are directly involved in developing the relationship and making a recommendation as to whether or not to proceed, and the staff who make the final decision.

Suggested decision by the initiating unit

- If all : approve without or with conditions (see below).
- If one or more : escalate the Risk Assessment Tool, including your conclusions, to HQ.
- If one or more : refrain from engaging.

Rationale for the decision:

The company has established the mechanisms, procedures, and standards through which it has generated employment that positively impacts the population and improves their living conditions. Similarly, the company seeks to contribute to the economic and social development of the communities and the country.

The company has expressed its commitment to adopting and implementing the work to be carried out, which means being willing to generate changes and transformations that positively impact the territories where they operate. In this sense, it is reasonable to be part of the construction of territories where the local economy is reactivated and the capacities in the territories are strengthened. Both the company and the UNDP are clear about the objectives and actions that will be developed during its execution to achieve a comprehensive strategy for territorial economic reactivation.

The benefits can also be extended to spaces and strategies that visualize the impact within the company and its contribution to economic and social development, especially in this sector.

Conditions: All parties are clear about the scope and objective of this alliance.

For cases that do not require escalation: decision by the RC/RR for COs, or the Regional Director for Regional Bureaus, or designated persons with the proper authority (please specify).

Approve **without** or **with conditions (see below).**

Refrain from engaging.

Person designated to make the decision:

Rationale for the decision:

The company has established the mechanisms, procedures, and norms through which it has generated employment that positively impacts the population and improves their living conditions. Similarly, the company seeks to contribute to the economic and social development of the communities and the country.

The company has expressed its commitment to adopting and implementing the work to be carried out, which means being willing to generate changes and transformations that positively impact the territories where they operate. In this sense, it is reasonable to be part of the construction of territories where the local economy is reactivated and the capacities in the territories are strengthened. Both the company and the UNDP are clear about the objectives and actions developed during its execution to achieve a comprehensive strategy for territorial economic reactivation.

The benefits can also be extended to spaces and strategies that visualize the impact within the company and its contribution to economic and social development, especially in this sector.

Conditions: All parties are clear about the scope and objective of this alliance.

In escalated cases, decision by HQ

Approve without or with conditions (see below).

Refrain from engaging.

Rationale for the decision: [Rationale]

Conditions: [Conditions]

Step 5: Risk Log, Monitoring Plan and Communication Materials

The Project Manager should also document the risks that have been identified into a risk log (sample [here](#)). If the partnership is part of a project that already has a risk log, these risks can be added into the existing mechanism. In low-risk and short-term partnerships the project manager may decide that risk log is not needed.

Has a risk log been done?

Yes

21 Attach the risk log to this document or explain in the comment box below where it can be found.

No

22 Explain in the comment box below why a risk log has not been done. Explain in the comment box below why a risk log has not been done.

Comments:

This document constitutes an analysis prior to implementing a project with the GeoPark company as a potential partner to work on the economic reactivation of the territories affected by the pandemic. Once authorization is obtained to sign the alliance, the project will develop a project document with its respective Risklog, evaluating in detail the risks associated with the implementation of the project.

The Project Manager should regularly scan publicly available information and informal intelligence systems for new controversies surrounding the company or its industry. Any significant issues that might cause potential damage should be flagged to HQ and recorded in the [Private Sector Due Diligence Database](#). Similarly, the Project Manager should regularly assess whether or not the company is meeting the conditions (if any) defined in step 4 above. Especially if there are specific conditions set for the partnership it is recommended to prepare a monitoring plan.

The Project Manager can be supported in the monitoring activities by the Regional Bureau or HQ, especially in difficult cases.

Has a monitoring plan been defined?

Yes

23 Attach the monitoring plan to this document or explain in the comment box below where it can be found.

No

24 Explain in the comment box below why a monitoring plan has not been defined.

Comments:

This document constitutes an analysis prior to implementing a project with the GeoPark company as a potential partner to work on the economic reactivation of the territories affected by the pandemic. The project will also implement a strategy to control the activity carried out by UNDP within the framework, purposes, principles and values of the organization. A preventive and reactive communication strategy will be designed in case it is necessary to activate it in the face of actions that could impact the reputation and image of UNDP due to the development of the projects. The project team at all levels will have continuous monitoring of the media and various sources at the local, regional and national levels to identify early warnings or threats to the image and reputation of the organization. In cases where inconsistencies or news of public attention negatively affect the company's performance in relation to the project, the case will be submitted to the evaluation of the Country Office.

The Project Manager is in charge of drawing up the needed communications materials that cover the basic details of the partnership and possibly address the main risks identified during the risk assessment process. For partnerships that do not involve significant risks, the Project Manager may decide that there is no need for communications materials.

Have the needed communications materials been drawn up?

Yes

25 Attach the communications materials to this document or explain in the comment box below where they can be found.

No

26 Explain in the comment box below why communications materials have not been drawn up.

Comments:

The project plans to support the UNDP Communications Office, through the professional from the Poverty and Inequity Reduction Area, who will lead the design of the communications plan and the communication pieces and tools required. defined. This process has been discussed with the company, and it will be articulated with the Geopark communications office, in order to have a coherent and respectful message of the UNDP processes and norms.

ANNEX 10. Social and Environmental Screening Procedure for the Private Sector Project

Annex [2]. Social and Environmental Screening Template

The completed template, which constitutes the Social and Environmental Screening Report, must be included as an annex to the Project Document. Please refer to the [Social and Environmental Screening Procedure](#) and [Toolkit](#) for guidance on how to answer the 6 questions.

Project Information

Project Information	
1. Project Title	Sector Privado y Agenda 2030
2. Project Number	132303
3. Location (Global/Region/Country)	Colombia

Part A. Integrating Overarching Principles to Strengthen Social and Environmental Sustainability

QUESTION 1: How Does the Project Integrate the Overarching Principles in order to Strengthen Social and Environmental Sustainability?

Briefly describe in the space below how the Project mainstreams the human-rights based approach

The regional and population disparities remain one of the factors preventing the achievement of the 2030 Agenda. In this sense, the Private Sector is a key actor in closing gaps; therefore, it is essential that its social strategies are aligned with the SDGs and particularly focused on certain groups facing significant barriers to entering and sustaining themselves in the labor market, exercising their economic, social, and cultural rights, and enjoying a full and decent life. To maximize impact and improve the effectiveness and efficiency of its interventions, the Private Sector, with support from UNDP, will promote the inclusion and adoption of approaches such as Human Rights in its social, environmental, and economic strategies. If all individuals are rights holders, the pursuit of equality and equity becomes imperative, unlike if they are viewed as having needs. Rights entail recognizing and respecting diversity while reducing inequality.

Briefly describe in the space below how the Project is likely to improve gender equality and women's empowerment

One of the thematic areas of the project is the reduction of gender inequality. To this end, UNDP collaborates closely with the private sector to develop capacities within the business sector that promote practices eliminating gender inequalities in the workplace, through the Equipares Program. Additionally, it promotes the development of new sustainable business opportunities and value chains for women, the promotion of self-employment and entrepreneurship, and support for social enterprises and cooperatives that expand economic opportunities for women in urban and rural areas. Women's economic participation requires opportunities for their inclusion in industries and value chains, not only as suppliers but also as value-adders, distributors, sellers, franchisees, or customers. Reducing gender inequality in markets is crucial for inclusive growth and sustainable development. The private sector plays an essential role in reducing gender inequality in labor markets by providing women with more opportunities for decent work, equal conditions, fair wages, and protection systems. However, the situation of women in Colombia reflects the significant challenges facing the country in promoting an equal and inclusive society.

Briefly describe in the space below how the Project mainstreams environmental sustainability

One of the thematic areas of the project is green growth, responsible production, and consumption. The interrelation of environmental issues with sustained and inclusive economic growth, and the alignment of a large portion of the SDGs with natural resource management, highlight an opportunity to promote a comprehensive approach to sustainable development in the country, focusing on the conservation and sustainable use of resources for the well-being of current and future generations. In this context, UNDP promotes opportunities and the impact of green growth in cities through the rational use of energy, water, and waste recycling. Additionally, it will contribute to addressing the country's main environmental challenges and strengthening livelihoods based on the sustainable use of biodiversity. Regarding the agricultural sector, green and sustainable production will be promoted in agriculture, livestock, forestry, and fisheries, alongside promoting access to and use of renewable energy, and access to and protection of water resources. Nature-based solutions and green technologies have the potential to create large-scale business opportunities, and sustainable production and service models such as the circular economy will be promoted.

Part B. Identifying and Managing Social and Environmental Risks

QUESTION 2: What are the Potential Social and Environmental Risks? <i>Note: Describe briefly potential social and environmental risks identified in Attachment 1 – Risk Screening Checklist (based on any “Yes” responses). If no risks have been identified in Attachment 1 then note “No Risks Identified” and skip to Question 4 and Select “Low Risk”. Questions 5 and 6 not required for Low Risk Projects.</i>	QUESTION 3: What is the level of significance of the potential social and environmental risks? <i>Note: Respond to Questions 4 and 5 below before proceeding to Question 6</i>			QUESTION 6: What social and environmental assessment and management measures have been conducted and/or are required to address potential risks (for Risks with Moderate and High Significance)?
Risk Description	Impact and Probability (1-5)	Significance (Low, Moderate, High)	Comments	Description of assessment and management measures as reflected in the Project design. If ESIA or SESA is required note that the assessment should consider all potential impacts and risks.
Risk of not meeting the expectations of the beneficiary population in the face of the scope of UNDP intervention	I = 4 P = 1	Moderate		Initial socializations with the communities to ensure complete clarity on the scope and objectives of the project, and to avoid false expectations and communication issues.
QUESTION 4: What is the overall Project risk categorization?				
Select one (see SESP for guidance)			Comments	
<i>Low Risk</i> <input checked="" type="checkbox"/>			No significant social and environmental risks.	
<i>Moderate Risk</i> <input type="checkbox"/>				
<i>High Risk</i> <input type="checkbox"/>				
QUESTION 5: Based on the identified risks and risk categorization, what requirements of the SES are relevant?				
Check all that apply			Comments	
<i>Principle 1: Human Rights</i>			<input checked="" type="checkbox"/>	
<i>Principle 2: Gender Equality and Women’s Empowerment</i>			<input checked="" type="checkbox"/>	
1. Biodiversity Conservation and Natural Resource Management			<input type="checkbox"/>	
2. Climate Change Mitigation and Adaptation			<input type="checkbox"/>	

	3. Community Health, Safety and Working Conditions	<input type="checkbox"/>	
	4. Cultural Heritage	<input type="checkbox"/>	
	5. Displacement and Resettlement	<input type="checkbox"/>	
	6. Indigenous Peoples	<input type="checkbox"/>	
	7. Pollution Prevention and Resource Efficiency	<input type="checkbox"/>	

Final Sign Off

Signature	Date	Description
Quality Certification Advisor (QA) Javier Pérez – National Manager of the Poverty and Inequality Reduction Area	13-Jan-2021	UNDP staff member responsible for the Project, typically a UNDP Programme Officer. Final signature confirms they have “checked” to ensure that the SESP is adequately conducted.
QA Approver Alejandro Pacheco – Deputy Resident Representative	13-Jan-2021	UNDP senior manager, typically the UNDP Deputy Country Director (DCD), Country Director (CD), Deputy Resident Representative (DRR), or Resident Representative (RR). The QA Approver cannot also be the QA Assessor. Final signature confirms they have “cleared” the SESP prior to submittal to the PAC.
PAC Chair Alejandro Pacheco – Deputy Resident Representative	13-Jan-2021	UNDP chair of the PAC. In some cases, the PAC Chair may also be the QA Approver. Final signature confirms that the SESP was considered as part of the project appraisal and considered in recommendations of the PAC.

SESP Attachment 1. Social and Environmental Risk Screening Checklist

Checklist Potential Social and Environmental Risks		
Principles 1: Human Rights		Answer (Yes/No)
1.	Could the Project lead to adverse impacts on enjoyment of the human rights (civil, political, economic, social or cultural) of the affected population and particularly of marginalized groups?	NO
2.	Is there a likelihood that the Project would have inequitable or discriminatory adverse impacts on affected populations, particularly people living in poverty or marginalized or excluded individuals or groups? ¹⁶²	NO
3.	Could the Project potentially restrict availability, quality of and access to resources or basic services, in particular to marginalized individuals or groups?	NO
4.	Is there a likelihood that the Project would exclude any potentially affected stakeholders, in particular marginalized groups, from fully participating in decisions that may affect them?	NO
5.	Is there a risk that duty-bearers do not have the capacity to meet their obligations in the Project?	NO
6.	Is there a risk that rights-holders do not have the capacity to claim their rights?	NO
7.	Have local communities or individuals, given the opportunity, raised human rights concerns regarding the Project during the stakeholder engagement process?	NO
8.	Is there a risk that the Project would exacerbate conflicts among and/or the risk of violence to project-affected communities and individuals?	NO
Principle 2: Gender Equality and Women's Empowerment		
1.	Is there a likelihood that the proposed Project would have adverse impacts on gender equality and/or the situation of women and girls?	NO
2.	Would the Project potentially reproduce discriminations against women based on gender, especially regarding participation in design and implementation or access to opportunities and benefits?	NO
3.	Have women's groups/leaders raised gender equality concerns regarding the Project during the stakeholder engagement process and has this been included in the overall Project proposal and in the risk assessment?	NO
4.	Would the Project potentially limit women's ability to use, develop and protect natural resources, taking into account different roles and positions of women and men in accessing environmental goods and services? <i>For example, activities that could lead to natural resources degradation or depletion in communities who depend on these resources for their livelihoods and well being</i>	NO
Principle 3: Environmental Sustainability: Screening questions regarding environmental risks are encompassed by the specific Standard-related questions below		
Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management		
1.1	Would the Project potentially cause adverse impacts to habitats (e.g. modified, natural, and critical habitats) and/or ecosystems and ecosystem services?	NO

¹⁶² Prohibited grounds of discrimination include race, ethnicity, gender, age, language, disability, sexual orientation, religion, political or other opinion, national or social or geographical origin, property, birth or other status including as an indigenous person or as a member of a minority. References to "women and men" or similar is understood to include women and men, boys and girls, and other groups discriminated against based on their gender identities, such as transgender people and transsexuals.

	<i>For example, through habitat loss, conversion or degradation, fragmentation, hydrological changes</i>	
1.2	Are any Project activities proposed within or adjacent to critical habitats and/or environmentally sensitive areas, including legally protected areas (e.g. nature reserve, national park), areas proposed for protection, or recognized as such by authoritative sources and/or indigenous peoples or local communities?	NO
1.3	Does the Project involve changes to the use of lands and resources that may have adverse impacts on habitats, ecosystems, and/or livelihoods? (Note: if restrictions and/or limitations of access to lands would apply, refer to Standard 5)	NO
1.4	Would Project activities pose risks to endangered species?	NO
1.5	Would the Project pose a risk of introducing invasive alien species?	NO
1.6	Does the Project involve harvesting of natural forests, plantation development, or reforestation?	NO
1.7	Does the Project involve the production and/or harvesting of fish populations or other aquatic species?	NO
1.8	Does the Project involve significant extraction, diversion or containment of surface or ground water? <i>For example, construction of dams, reservoirs, river basin developments, groundwater extraction</i>	NO
1.9	Does the Project involve utilization of genetic resources? (e.g. collection and/or harvesting, commercial development)	NO
1.10	Would the Project generate potential adverse transboundary or global environmental concerns?	NO
1.11	Would the Project result in secondary or consequential development activities which could lead to adverse social and environmental effects, or would it generate cumulative impacts with other known existing or planned activities in the area? <i>For example, a new road through forested lands will generate direct environmental and social impacts (e.g. felling of trees, earthworks, potential relocation of inhabitants). The new road may also facilitate encroachment on lands by illegal settlers or generate unplanned commercial development along the route, potentially in sensitive areas. These are indirect, secondary, or induced impacts that need to be considered. Also, if similar developments in the same forested area are planned, then cumulative impacts of multiple activities (even if not part of the same Project) need to be considered.</i>	NO
Standard 2: Climate Change Mitigation and Adaptation		
2.1	Will the proposed Project result in significant ¹⁶³ greenhouse gas emissions or may exacerbate climate change?	NO
2.2	Would the potential outcomes of the Project be sensitive or vulnerable to potential impacts of climate change?	NO
2.3	Is the proposed Project likely to directly or indirectly increase social and environmental vulnerability to climate change now or in the future (also known as maladaptive practices)? <i>For example, changes to land use planning may encourage further development of floodplains, potentially increasing the population's vulnerability to climate change, specifically flooding</i>	NO
Standard 3: Community Health, Safety and Working Conditions		
3.1	Would elements of Project construction, operation, or decommissioning pose potential safety risks to local communities?	NO
3.2	Would the Project pose potential risks to community health and safety due to the transport, storage, and use and/or disposal of hazardous or dangerous materials (e.g. explosives, fuel and other chemicals during construction and operation)?	NO

¹⁶³ In regards to CO₂, 'significant emissions' corresponds generally to more than 25,000 tons per year (from both direct and indirect sources). [The Guidance Note on Climate Change Mitigation and Adaptation provides additional information on GHG emissions.]

3.3	Does the Project involve large-scale infrastructure development (e.g. dams, roads, buildings)?	NO
3.4	Would failure of structural elements of the Project pose risks to communities? (e.g. collapse of buildings or infrastructure)	NO
3.5	Would the proposed Project be susceptible to or lead to increased vulnerability to earthquakes, subsidence, landslides, erosion, flooding or extreme climatic conditions?	NO
3.6	Would the Project result in potential increased health risks (e.g. from water-borne or other vector-borne diseases or communicable infections such as HIV/AIDS)?	NO
3.7	Does the Project pose potential risks and vulnerabilities related to occupational health and safety due to physical, chemical, biological, and radiological hazards during Project construction, operation, or decommissioning?	NO
3.8	Does the Project involve support for employment or livelihoods that may fail to comply with national and international labor standards (i.e. principles and standards of ILO fundamental conventions)?	NO
3.9	Does the Project engage security personnel that may pose a potential risk to health and safety of communities and/or individuals (e.g. due to a lack of adequate training or accountability)?	NO
Standard 4: Cultural Heritage		
4.1	Will the proposed Project result in interventions that would potentially adversely impact sites, structures, or objects with historical, cultural, artistic, traditional or religious values or intangible forms of culture (e.g. knowledge, innovations, practices)? (Note: Projects intended to protect and conserve Cultural Heritage may also have inadvertent adverse impacts)	NO
4.2	Does the Project propose utilizing tangible and/or intangible forms of cultural heritage for commercial or other purposes?	NO
Standard 5: Displacement and Resettlement		
5.1	Would the Project potentially involve temporary or permanent and full or partial physical displacement?	NO
5.2	Would the Project possibly result in economic displacement (e.g. loss of assets or access to resources due to land acquisition or access restrictions – even in the absence of physical relocation)?	NO
5.3	Is there a risk that the Project would lead to forced evictions? ¹⁶⁴	NO
5.4	Would the proposed Project possibly affect land tenure arrangements and/or community based property rights/customary rights to land, territories and/or resources?	NO
Standard 6: Indigenous Peoples		
6.1	Are indigenous peoples present in the Project area (including Project area of influence)?	NO
6.2	Is it likely that the Project or portions of the Project will be located on lands and territories claimed by indigenous peoples?	NO
6.3	Would the proposed Project potentially affect the human rights, lands, natural resources, territories, and traditional livelihoods of indigenous peoples (regardless of whether indigenous peoples possess the legal titles to such areas, whether the Project is located within or outside of the lands and territories inhabited by the affected peoples, or whether the indigenous peoples are recognized as indigenous peoples by the country in question)?	NO

¹⁶⁴ Forced evictions include acts and/or omissions involving the coerced or involuntary displacement of individuals, groups, or communities from homes and/or lands and common property resources that were occupied or depended upon, thus eliminating the ability of an individual, group, or community to reside or work in a particular dwelling, residence, or location without the provision of, and access to, appropriate forms of legal or other protections.

	<i>If the answer to the screening question 6.3 is “yes” the potential risk impacts are considered potentially severe and/or critical and the Project would be categorized as either Moderate or High Risk.</i>	
6.4	Has there been an absence of culturally appropriate consultations carried out with the objective of achieving FPIC on matters that may affect the rights and interests, lands, resources, territories and traditional livelihoods of the indigenous peoples concerned?	NO
6.5	Does the proposed Project involve the utilization and/or commercial development of natural resources on lands and territories claimed by indigenous peoples?	NO
6.6	Is there a potential for forced eviction or the whole or partial physical or economic displacement of indigenous peoples, including through access restrictions to lands, territories, and resources?	NO
6.7	Would the Project adversely affect the development priorities of indigenous peoples as defined by them?	NO
6.8	Would the Project potentially affect the physical and cultural survival of indigenous peoples?	NO
6.9	Would the Project potentially affect the Cultural Heritage of indigenous peoples, including through the commercialization or use of their traditional knowledge and practices?	NO
Standard 7: Pollution Prevention and Resource Efficiency		
7.1	Would the Project potentially result in the release of pollutants to the environment due to routine or non-routine circumstances with the potential for adverse local, regional, and/or transboundary impacts?	NO
7.2	Would the proposed Project potentially result in the generation of waste (both hazardous and non-hazardous)?	NO
7.3	Will the proposed Project potentially involve the manufacture, trade, release, and/or use of hazardous chemicals and/or materials? Does the Project propose use of chemicals or materials subject to international bans or phase-outs? <i>For example, DDT, PCBs and other chemicals listed in international conventions such as the Stockholm Conventions on Persistent Organic Pollutants or the Montreal Protocol</i>	NO
7.4	Will the proposed Project involve the application of pesticides that may have a negative effect on the environment or human health?	NO
7.5	Does the Project include activities that require significant consumption of raw materials, energy, and/or water?	NO

ANNEX 11. Social and Environmental Screening Procedure for the Sustainable Amazon for Peace Project

SOCIAL AND ENVIRONMENTAL SCREENING ASSESSMENT

SUSTAINABLE AMAZON FOR PEACE PROJECT

Update June 2021

Annex [2]. Social and Environmental Screening Template

Social and Environmental Screening Template (2021 SESP Template, Version 1)

The completed template, which constitutes the Social and Environmental Screening Report, must be included as an annex to the Project Document at the design stage. Note: this template will be converted into an online tool. The online version will guide users through the process and will embed relevant guidance.

Project Information

Project Information	
4. Project Title	Conectividad y Conservación de la Biodiversidad en la Amazonía
5. Project Number (i.e. Atlas project ID, PIMS+)	PIMS 5715 Project ID 00095817
6. Location (Global/Region/Country)	LAC/Colombia/Colombian Amazon
7. Project stage (Design or Implementation)	Implementation
8. Date	June 2021

Part A. Integrating Programming Principles to Strengthen Social and Environmental Sustainability

QUESTION 1: How Does the Project Integrate the Programming Principles in Order to Strengthen Social and Environmental Sustainability?

Briefly describe in the space below how the project mainstreams the human rights-based approach

The project will facilitate the direct, free, and equal participation of all interested stakeholders at national, subnational, and local levels (e.g., MADS, CDSs, research institutes, municipalities, local communities, and the private sector) in planning and implementing measures to improve connectivity and conserve biodiversity. This will be achieved by strengthening local institutions and organizations to ensure comprehensive, low-carbon management and peacebuilding, prioritizing productive landscapes in the western Colombian Amazon. In line with UNDP's human rights-based approach, the project will empower community organizations and local producers, including farmers, indigenous groups, and women's groups, as well as municipal authorities, to become key facilitators, decision-makers, and in some cases, implementers of project actions. This will focus on territorial development with a low-carbon approach, integrating environmental management and peace consolidation in prioritized productive landscapes.

Additionally, the project will provide equitable monetary and non-monetary benefits to local actors regardless of their status, resulting in: a) Direct participation of producers, community organizations, and local governments in planning and implementing sustainable, low-carbon production activities. b) Adoption of sustainable production practices contributing to food security. c) Access to economic incentives to reduce deforestation while increasing productivity and diversifying means of production. d) Increased access to markets for sustainable products and improved incomes for producers.

Briefly describe in the space below how the project is likely to improve gender equality and women's empowerment

The project qualifies as having a Gender Mainstreaming Effect: the outcomes addressed the differentiated needs of men and women and the equitable distribution of benefits, resources, status, and rights, but will not address the root causes of inequalities in their lives. Women will be consulted during project implementation and will play a leading role in achieving project outcomes and delivering locally, subnationally, and globally significant environmental benefits. Women will actively participate in decision-making processes related to biodiversity conservation, sustainable use, deforestation reduction, comprehensive low-carbon territorial management, and peacebuilding. Both women and men will have equal opportunities in sustainable forest and soil management, marine biodiversity conservation and sustainable use, and climate change mitigation, considering their roles and priorities and granting them the opportunity to express themselves at different levels of government institutions, the private sector, and social organizations. The project will promote activities to close gender gaps; collect disaggregated data by sex and additional information by age and gender, including the distribution of project benefits. Gender considerations were included in the final project design with the participation of gender specialists from the UNDP office, including indicators that are part of the project's results framework. During implementation, socio-economic technical studies related to the project will identify cultural, social, religious, or other factors that may restrict women's participation in the project, and strategies will be developed to overcome these limitations if they exist. All consultations with women and women's groups will be documented, as well as lessons learned and experiences on women's participation in the project, making them available for the design and implementation of similar initiatives.

Additionally, considering that women's participation in environmental management initiatives is crucial for achieving sustainable results, the project seeks to strengthen women's capacity to lead and influence environmental governance processes, ensuring that their needs and perspectives are taken into account. Supporting women's leadership and strengthening their organizational

processes has enhanced the legitimacy of initiatives within communities and is expected to foster greater ownership of processes in the medium term.

By incorporating a gender approach into institutional and community-level environmental management, the project makes a definitive contribution to the sustainability and scope of education, systematization, and climate change management initiatives. By identifying the needs and expectations of half the population in natural resource management and promoting their leadership, these initiatives can have a substantive impact.

Briefly describe in the space below how the project mainstreams sustainability and resilience

The project's main focus is to improve connectivity and conserve biodiversity, working towards 5 objectives: i. design and implementation of sustainable productive landscapes, ii. capacity building for environmental governance, iii. contribution to the formulation and implementation of public policies for low-carbon rural development and institutional advocacy for regional vision; iv. revitalization of the local economy through sustainable use of biodiversity and zero-deforestation chains, and v. knowledge management, practices, and experiences for sustainable forest and land management.

One of the project's main goals is to promote a biocultural connectivity-based territorial management scheme through landscape-scale planning exercises. The project promotes a cultural shift towards ecosystems, positioning them as central to rural development in the Colombian Amazon by providing essential ecosystem services. The project has focused on strengthening territorial environmental governance through support for peasant associations.

Additionally, it has aimed to build capacities for promoting conservation and restoration of ecosystems as essential elements for ensuring sustainable economic development that considers ecosystem services. The central idea of the project is for communities to internalize the importance of ecosystem services, understanding the production/conservation nexus where the managed landscape offers production opportunities compatible with conservation and restoration strategies for these service-providing ecosystems.

Briefly describe in the space below how the project strengthens accountability to stakeholders

Collective decision-making spaces are maintained through technical committees and steering committees, ensuring that activities scheduled in the annual operational plans are articulated and responsive to national and regional initiatives underway. Likewise, there are local monitoring instances for processes and the various agreements signed with local organizations.

Specifically at the local level, the project promotes the participation of stakeholders through the dynamization of actions under a collective knowledge-building approach, starting from the recognition of local knowledge and interests in dialogue with technical and scientific contributions, facilitating the projection of shared objectives and work agendas. This process is implemented through

permanent moments of co-design, co-execution, and co-evaluation in tripartite instances involving social organizations from the territory, technical allies, and the accompanying UNDP team.

Additionally, in this process of collective construction, local and environmental institutional frameworks are integrated, as a mission undertaken by the project and UNDP is to foster trust-building between community actors and the state, aiming to strengthen governance and sustainability of these initiatives

Part B. Identifying and Managing Social and Environmental Risks

QUESTION 2: What are the Potential Social and Environmental Risks? <i>Note: Complete SESP Attachment 1 before responding to Question 2.</i>	QUESTION 3: What is the level of significance of the potential social and environmental risks? <i>Note: Respond to Questions 4 and 5 below before proceeding to Question 5</i>			QUESTION 6: Describe the assessment and management measures for each risk rated Moderate, Substantial or High
Risk Description <i>(broken down by event, cause, impact)</i>	Impact and Likelihood <i>(1-5)</i>	Significance <i>(Low, Moderate, Substantial, High)</i>	Comments (optional)	Description of assessment and management measures for risks rated as Moderate, Substantial or High
Risk of generating actions or situations that restrict the effective participation of communities and organizations in the face of interventions or interests of third parties.	I = 3 L = 3	Moderate		Project request mechanism (in the process of being socialized with local communities and project partners) Actors Participation Plan (in update, expected to be completed by October 2021) Strengthening of reconciliation committees of community action boards and social organizations.
Risk of harm to life or safety of individuals by illegal armed groups exerting pressure on organizations, local partners, or institutions participating directly or indirectly in the project	I = 3 L = 3	Moderate		The project's implementation will follow the protocols of the United Nations Department of Safety and Security (UNDSS), and work plans will be adjusted accordingly. Request periodic security analysis from UNDSS, including a field visit to assess the criticality of the security situation in the work areas.
Risk of generating scenarios for women and populations with diverse sexual orientation or gender identity that may result in discrimination, violence, and exposure within the framework of project implementation processes.	I = 3 L = 3	Moderate		Gender Plan (in update, expected by October 2021) Project request mechanism (in the process of being socialized with local communities and project partners) Territorial gender analysis and capacity-building plan Strengthening women's participation in local governance decision-making

				<p>Promotion of workshops and training spaces addressing identified barriers to improve participation in internal (project) and external (organization) decision-making forums, such as computer skills, motorcycle riding, among others.</p> <p>Sensitization and training sessions to incorporate the gender approach at all project levels (technical team, partners, responsible parties, community organizations involved in the project)</p> <p>Promoting family participation in territorial processes, specifically in the PAP and establishment of HMP.</p> <p>Promoting gender parity in local environmental governance scenarios and processes: campesino promoter schools, communication labs, community monitoring, pedagogical strengthening IER, local knowledge groups, among others.</p> <p>Creating separate spaces for women and men before collective meetings promoted by the project to facilitate differentiated expression of expectations, skills, and roles in project matters.</p> <p>Promoting gender parity in the hiring of project staff, partner teams, and other stakeholders.</p> <p>Scheduling events and workshops considering women's available time and facilitating strategies for participation with children, including parallel activities for children.</p>
<p>Risk of dissatisfaction for the institutions leading the project due to the low availability of means and timely responses for raising complaints or objections from different stakeholders participating in the project execution</p>	<p>I = 3 L = 3</p>	<p>Moderate</p>		<p>Project request mechanism (in the process of being socialized with local communities and project partners) Stakeholder training on the mechanism's operation. Dissemination material encouraging stakeholders to use the mechanism Creation of a specific email to address this mechanism for requests, complaints, and claims.</p>
<p>Potential environmental impact from intervention in areas identified as high conservation value, activities that could cause soil degradation, potential use of invasive introduced species in nurseries, exploitation of timber and non-timber forest products</p>	<p>I = 3 L = 3</p>	<p>Moderate</p>		<p>Agreed-upon adaptive land plans Personal and land safeguards Monitoring deforestation in project areas Nursery maintenance plan Environmental management plan for species subject to exploitation (associated with forest cores, meliponiculture, among others)</p>

				<p>Identification of high conservation value areas within work polygons.</p> <p>Promotion of restoration, protection, recovery, and conservation actions in project-prioritized high conservation value areas</p> <p>Promotion of good agricultural practices for sustainable production</p> <p>Subscription of land and community conservation agreements</p> <p>Training and education processes on nursery practices, native species and their importance, best practices for forest product utilization, and proper waste management related to project activities.</p> <p>Identification and definition of species to be reproduced in nurseries (list)</p> <p>Monitoring of species reproduced in nurseries.</p>
Risk from climate shocks leading to potential damage to project investments affecting implementation and sustained impact post-project	I = 3 L = 2	Moderate		<p>Agroecological calendars</p> <p>Planning planting during the rainy season</p> <p>Water access as a criterion for nursery site selection</p> <p>Installation of multipurpose water storage tanks on properties where HMP is implemented.</p>
Risk of COVID-19 and waterborne diseases transmission due to improper use of biosecurity elements and practices by project personnel and participants in activities	I = 3 L = 3	Moderate		<p>COVID-19 biosecurity protocol (includes the development of virtual spaces when necessary)</p> <p>Installation of protective covers on water storage tanks to prevent vector transmission, and installation of potabilization valves if used for human consumption.</p> <p>Communication tools for health risk management.</p>
Risk of exposing traditional knowledge and cultural practices of indigenous peoples to external actors	I = 3 L = 2	Moderate		<p>Authorization records for sharing indigenous community information with other actors</p> <p>Confidential handling of information generated by indigenous communities within the framework of grant agreements. If information is to be shared, it must be authorized by the communities.</p>
Risk from cultural, social, organizational, and environmental dimensions, and land use due to project activities affecting indigenous communities	I = intermediate L = low	Moderate		<p>Indigenous Peoples Plan</p> <p>Stakeholder Participation Plan (indigenous plan in update along with the project's stakeholder participation plan, expected by October 2021)</p> <p>Project request mechanism (in the process of being socialized with local communities and project partners)</p> <p>Grant agreements with indigenous peoples and monitoring</p> <p>Consensus on all actions to be developed in indigenous territories</p>

	<i>Is assessment required? (check if "yes")</i>	X	Ye s		<i>Status? (completed, planned)</i>
	<i>if yes, indicate overall type and status</i>		<input type="checkbox"/>	Targeted assessment(s)	
			<input type="checkbox"/>	ESIA (Environmental and Social Impact Assessment)	
			<input type="checkbox"/>	SESA (Strategic Environmental and Social Assessment)	
	<i>Are management plans required? (check if "yes")</i>	X	Ye s		
	<i>if yes, indicate overall type</i>		X	Targeted management plans (e.g. Gender Action Plan, Emergency Response Plan, Waste Management Plan, others)	<p>Indigenous Peoples Plan (updated)</p> <p>Gender Plan (in progress, expected date October 2021)</p> <p>Stakeholder Engagement Plan (in progress, expected in October 2021)</p> <p>Action Plan for waste management associated with project activities (pending, expected to be formulated in October 2021)</p> <p>Occupational Risk Management Plan (in development, expected to be completed in October 2021)</p>

				Environmental Management Plan for species subject to exploitation (associated with forest cores, meliponiculture, among others)
		X	ESMP (Environmental and Social Management Plan which may include range of targeted plans)	In implementation and updating process
		<input type="checkbox"/>	ESMF (Environmental and Social Management Framework)	
	Based on identified risks, which Principles/Project-level Standards triggered?		Principles: Human Rights, Gender Equality and Women's Empowerment, Accountability Standards: 1,2,3,4,6,7 and 8	
	Overarching Principle: Leave No One Behind			
	Human Rights	X		
	Gender Equality and Women's Empowerment	X		
	Accountability	X		
	1. Biodiversity Conservation and Sustainable Natural Resource Management	X		
	2. Climate Change and Disaster Risks	X		
	3. Community Health, Safety and Security	X		
	4. Cultural Heritage	X		
	5. Displacement and Resettlement	<input type="checkbox"/>		
	6. Indigenous Peoples	X		
	7. Labour and Working Conditions	X		
	8. Pollution Prevention and Resource Efficiency	X		

Final Sign Off

Final Screening at the design-stage is not complete until the following signatures are included

Signature	Date	Description
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QA Assessor		UNDP staff member responsible for the project, typically a UNDP Programme Officer. Final signature confirms they have “checked” to ensure that the SESP is adequately conducted.
QA Approver		UNDP senior manager, typically the UNDP Deputy Country Director (DCD), Country Director (CD), Deputy Resident Representative (DRR), or Resident Representative (RR). The QA Approver cannot also be the QA Assessor. Final signature confirms they have “cleared” the SESP prior to submittal to the PAC.
PAC Chair		UNDP chair of the PAC. In some cases, the PAC Chair may also be the QA Approver. Final signature confirms that the SESP was considered as part of the project appraisal and considered in recommendations of the PAC.

SESP Attachment 1. Social and Environmental Risk Screening Checklist

Checklist Potential Social and Environmental Risks		
INSTRUCTIONS: The risk screening checklist will assist in answering Questions 2-6 of the Screening Template. Answers to the checklist questions help to (1) identify potential risks, (2) determine the overall risk categorization of the project, and (3) determine required level of assessment and management measures. Refer to the SES toolkit for further guidance on addressing screening questions.		
Overarching Principle: Leave No One Behind		Answer (Yes/No)
Human Rights		
P.1	Have local communities or individuals raised human rights concerns regarding the project (e.g. during the stakeholder engagement process, grievance processes, public statements)?	NO
P.2	Is there a risk that duty-bearers (e.g. government agencies) do not have the capacity to meet their obligations in the project?	NO
P.3	Is there a risk that rights-holders (e.g. project-affected persons) do not have the capacity to claim their rights?	YES
<i>Would the project potentially involve or lead to:</i>		---
P.4	adverse impacts on enjoyment of the human rights (civil, political, economic, social or cultural) of the affected population and particularly of marginalized groups?	NO
P.5	inequitable or discriminatory impacts on affected populations, particularly people living in poverty or marginalized or excluded individuals or groups, including persons with disabilities? ¹⁶⁵	NO
P.6	restrictions in availability, quality of and/or access to resources or basic services, in particular to marginalized individuals or groups, including persons with disabilities?	NO
P.7	exacerbation of conflicts among and/or the risk of violence to project-affected communities and individuals?	YES
Gender Equality and Women's Empowerment		
P.8	Have women's groups/leaders raised gender equality concerns regarding the project, (e.g. during the stakeholder engagement process, grievance processes, public statements)?	NO
<i>Would the project potentially involve or lead to:</i>		---
P.9	adverse impacts on gender equality and/or the situation of women and girls?	NO
P.10	reproducing discriminations against women based on gender, especially regarding participation in design and implementation or access to opportunities and benefits?	YES
P.11	limitations on women's ability to use, develop and protect natural resources, taking into account different roles and positions of women and men in accessing environmental goods and services? <i>For example, activities that could lead to natural resources degradation or depletion in communities who depend on these resources for their livelihoods and well being</i>	NO
P.12	exacerbation of risks of gender-based violence? <i>For example, through the influx of workers to a community, changes in community and household power dynamics, increased exposure to unsafe public places and/or transport, etc.</i>	YES

¹⁶⁵ Prohibited grounds of discrimination include race, ethnicity, sex, age, language, disability, sexual orientation, gender identity, religion, political or other opinion, national or social or geographical origin, property, birth or other status including as an indigenous person or as a member of a minority. References to "women and men" or similar is understood to include women and men, boys and girls, and other groups discriminated against based on their gender identities, such as transgender and transsexual people.

Sustainability and Resilience: Screening questions regarding risks associated with sustainability and resilience are encompassed by the Standard-specific questions below		
Accountability		
<i>Would the project potentially involve or lead to:</i>		
P.13	exclusion of any potentially affected stakeholders, in particular marginalized groups and excluded individuals (including persons with disabilities), from fully participating in decisions that may affect them?	NO
P.14	grievances or objections from potentially affected stakeholders?	YES
P.15	risks of retaliation or reprisals against stakeholders who express concerns or grievances, or who seek to participate in or to obtain information on the project?	NO
Project-Level Standards		
Standard 1: Biodiversity Conservation and Sustainable Natural Resource Management		
<i>Would the project potentially involve or lead to:</i>		
1.1	adverse impacts to habitats (e.g. modified, natural, and critical habitats) and/or ecosystems and ecosystem services? <i>For example, through habitat loss, conversion or degradation, fragmentation, hydrological changes</i>	NO
1.2	activities within or adjacent to critical habitats and/or environmentally sensitive areas, including (but not limited to) legally protected areas (e.g. nature reserve, national park), areas proposed for protection, or recognized as such by authoritative sources and/or indigenous peoples or local communities?	YES
1.3	changes to the use of lands and resources that may have adverse impacts on habitats, ecosystems, and/or livelihoods? (Note: if restrictions and/or limitations of access to lands would apply, refer to Standard 5)	NO
1.4	risks to endangered species (e.g. reduction, encroachment on habitat)?	YES
1.5	exacerbation of illegal wildlife trade?	NO
1.6	introduction of invasive alien species?	YES
1.7	adverse impacts on soils?	NO
1.8	harvesting of natural forests, plantation development, or reforestation?	YES
1.9	significant agricultural production?	NO
1.10	animal husbandry or harvesting of fish populations or other aquatic species?	YES
1.11	significant extraction, diversion or containment of surface or ground water? <i>For example, construction of dams, reservoirs, river basin developments, groundwater extraction</i>	NO
1.12	handling or utilization of genetically modified organisms/living modified organisms? ¹⁶⁶	NO
1.13	utilization of genetic resources? (e.g. collection and/or harvesting, commercial development) ¹⁶⁷	NO
1.14	adverse transboundary or global environmental concerns?	NO
Standard 2: Climate Change and Disaster Risks		
<i>Would the project potentially involve or lead to:</i>		

¹⁶⁶ See the [Convention on Biological Diversity](#) and its [Cartagena Protocol on Biosafety](#).

¹⁶⁷ See the [Convention on Biological Diversity](#) and its [Nagoya Protocol](#) on access and benefit sharing from use of genetic resources.

2.1	areas subject to hazards such as earthquakes, floods, landslides, severe winds, storm surges, tsunami or volcanic eruptions?	NO
2.2	outputs and outcomes sensitive or vulnerable to potential impacts of climate change or disasters? <i>For example, through increased precipitation, drought, temperature, salinity, extreme events, earthquakes</i>	YES
2.3	increases in vulnerability to climate change impacts or disaster risks now or in the future (also known as maladaptive or negative coping practices)? <i>For example, changes to land use planning may encourage further development of floodplains, potentially increasing the population's vulnerability to climate change, specifically flooding</i>	NO
2.4	increases of greenhouse gas emissions, black carbon emissions or other drivers of climate change?	YES
Standard 3: Community Health, Safety and Security		
<i>Would the project potentially involve or lead to:</i>		
3.1	construction and/or infrastructure development (e.g. roads, buildings, dams)? (Note: the GEF does not finance projects that would involve the construction or rehabilitation of large or complex dams)	NO
3.2	air pollution, noise, vibration, traffic, injuries, physical hazards, poor surface water quality due to runoff, erosion, sanitation?	NO
3.3	harm or losses due to failure of structural elements of the project (e.g. collapse of buildings or infrastructure)?	NO
3.4	risks of water-borne or other vector-borne diseases (e.g. temporary breeding habitats), communicable and noncommunicable diseases, nutritional disorders, mental health?	YES
3.5	transport, storage, and use and/or disposal of hazardous or dangerous materials (e.g. explosives, fuel and other chemicals during construction and operation)?	NO
3.6	adverse impacts on ecosystems and ecosystem services relevant to communities' health (e.g. food, surface water purification, natural buffers from flooding)?	NO
3.7	influx of project workers to project areas?	YES
3.8	engagement of security personnel to protect facilities and property or to support project activities?	NO
Standard 4: Cultural Heritage		
<i>Would the project potentially involve or lead to:</i>		
4.1	activities adjacent to or within a Cultural Heritage site?	NO
4.2	significant excavations, demolitions, movement of earth, flooding or other environmental changes?	NO
4.3	adverse impacts to sites, structures, or objects with historical, cultural, artistic, traditional or religious values or intangible forms of culture (e.g. knowledge, innovations, practices)? (Note: projects intended to protect and conserve Cultural Heritage may also have inadvertent adverse impacts)	NO
4.4	alterations to landscapes and natural features with cultural significance?	NO
4.5	utilization of tangible and/or intangible forms (e.g. practices, traditional knowledge) of Cultural Heritage for commercial or other purposes?	YES
Standard 5: Displacement and Resettlement		
<i>Would the project potentially involve or lead to:</i>		
5.1	temporary or permanent and full or partial physical displacement (including people without legally recognizable claims to land)?	NO

5.2	economic displacement (e.g. loss of assets or access to resources due to land acquisition or access restrictions – even in the absence of physical relocation)?	NO
5.3	risk of forced evictions? ¹⁶⁸	NO
5.4	impacts on or changes to land tenure arrangements and/or community based property rights/customary rights to land, territories and/or resources?	NO
Standard 6: Indigenous Peoples		
<i>Would the project potentially involve or lead to:</i>		
6.1	areas where indigenous peoples are present (including project area of influence)?	YES
6.2	activities located on lands and territories claimed by indigenous peoples?	NO
6.3	impacts (positive or negative) to the human rights, lands, natural resources, territories, and traditional livelihoods of indigenous peoples (regardless of whether indigenous peoples possess the legal titles to such areas, whether the project is located within or outside of the lands and territories inhabited by the affected peoples, or whether the indigenous peoples are recognized as indigenous peoples by the country in question)? <i>If the answer to screening question 6.3 is “yes”, then the potential risk impacts are considered significant and the project would be categorized as either Substantial Risk or High Risk</i>	YES
6.4	the absence of culturally appropriate consultations carried out with the objective of achieving FPIC on matters that may affect the rights and interests, lands, resources, territories and traditional livelihoods of the indigenous peoples concerned?	NO
6.5	the utilization and/or commercial development of natural resources on lands and territories claimed by indigenous peoples?	NO
6.6	forced eviction or the whole or partial physical or economic displacement of indigenous peoples, including through access restrictions to lands, territories, and resources? <i>Consider, and where appropriate ensure, consistency with the answers under Standard 5 above</i>	NO
6.7	adverse impacts on the development priorities of indigenous peoples as defined by them?	NO
6.8	risks to the physical and cultural survival of indigenous peoples?	NO
6.9	impacts on the Cultural Heritage of indigenous peoples, including through the commercialization or use of their traditional knowledge and practices? <i>Consider, and where appropriate ensure, consistency with the answers under Standard 4 above.</i>	NO
Standard 7: Labour and Working Conditions		
<i>Would the project potentially involve or lead to: (note: applies to project and contractor workers)</i>		
7.1	working conditions that do not meet national labour laws and international commitments?	YES
7.2	working conditions that may deny freedom of association and collective bargaining?	NO
7.3	use of child labour?	NO
7.4	use of forced labour?	NO
7.5	discriminatory working conditions and/or lack of equal opportunity?	NO

¹⁶⁸ Forced eviction is defined here as the permanent or temporary removal against their will of individuals, families or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection. Forced evictions constitute gross violations of a range of internationally recognized human rights.

7.6	occupational health and safety risks due to physical, chemical, biological and psychosocial hazards (including violence and harassment) throughout the project life-cycle?	YES
Standard 8: Pollution Prevention and Resource Efficiency		
<i>Would the project potentially involve or lead to:</i>		
8.1	the release of pollutants to the environment due to routine or non-routine circumstances with the potential for adverse local, regional, and/or transboundary impacts?	NO
8.2	the generation of waste (both hazardous and non-hazardous)?	YES
8.3	the manufacture, trade, release, and/or use of hazardous materials and/or chemicals?	NO
8.4	the use of chemicals or materials subject to international bans or phase-outs? <i>For example, DDT, PCBs and other chemicals listed in international conventions such as the Montreal Protocol, Minamata Convention, Basel Convention, Rotterdam Convention, Stockholm Convention</i>	NO
8.5	the application of pesticides that may have a negative effect on the environment or human health?	YES
8.6	significant consumption of raw materials, energy, and/or water?	NO

ANNEX 12. Risk Assessment Tool for Ecopetrol in the Infrastructure for Development Project

Risk Assessment Tool

For internal UNDP use

This template permits the collection of information on potential partner private sector entities, helps to evaluate whether or not UNDP should pursue a partnership with the private sector entity¹⁶⁹, and determines which cases might need to be escalated to HQ.

This template contains the practical steps to be followed to reach a decision on a given partnership. It should be used in conjunction with the “UNDP Policy on Due Diligence and Partnerships with the Private Sector 2013” and “Risk Assessment Tool Guideline 2014” which explains each of the steps in more detail. **This risk Assessment is a mandatory requirement for any type of partnership between UNDP and a private sector entity. Special attention should be paid to complete it well in advance of the planned partnership.**

Content of this document:

- Collate background information.
- Step 1: Assess the Private sector entity against UNDP Exclusionary Criteria.
- Step 2: Research Potential Controversies.
- Step 3: Assess the Private sector entity Commitment to ESG and the Partnership Risks and Benefits.
- Step 4: Make a Decision.
- Step 5: Monitor and Prepare Communication Materials.

Collate Background Information

¹⁶⁹ The [UNDP Policy On Due Diligence And Partnerships With The Private Sector \(2013\)](#) defines the private sector as:

- a) For-profit and commercial enterprises of any size
- b) Corporate foundations (Corporate foundations are independent grant-making organizations that have close ties to the corporation providing funds. Some companies have corporate direct giving programmes instead of foundations; some have both. Examples of such foundations are the Coca-Cola Foundation and the Nike Foundation)
- c) Business associations, coalitions and alliances (including e.g. chambers of commerce, employers’ associations, cooperatives, industry and cross-industry initiatives where the participants are for-profit enterprises). These organizations will be assessed on their own merits, rather than on the merits of its members. (For example, UNDP will not exclude working with a chamber of commerce because it may have a company from an excluded sector among its members. However, if the chamber or association itself is involved in promotion of an excluded sector, then UNDP will not engage with them)
- d) State owned enterprises.

Private sector entity information

Name of the private sector entity:	ECOPETROL S.A https://www.ecopetrol.com.co/wps/portal/
Contact details of UNDP's main contact(s) at the private sector entity:	Yenny Carolina Piñalete López yennyca.pinarete@ecopetrol.com.co Gerencia de Prosperidad de Ecopetrol
Sector:	A commercial company in the oil and gas sector, involved in all links of the hydrocarbons chain: exploration, production, transportation, refining, and marketing.
Private sector entity description / background:	<p><u>Descripción General</u></p> <p><u>Ecopetrol S.A.</u> is a company organized as a national joint-stock corporation linked to the Ministry of Mines and Energy. It is a mixed-economy company of a commercial nature integrated into the oil and gas sector, participating in all links of the hydrocarbons chain: exploration, production, transportation, refining, and marketing. It has operations located in the center, south, east, and north of Colombia, as well as abroad. It has two refineries in Barrancabermeja and Cartagena. Through its subsidiary Cenit, which specializes in the transportation and logistics of hydrocarbons, it owns three ports for exporting and importing fuels and crude oil in Coveñas (Sucre) and Cartagena (Bolívar) with access to the Atlantic, and Tumaco (Nariño) in the Pacific. Cenit also owns most of the pipelines and polyducts in the country, interconnecting production systems with major consumption centers and maritime terminals. Ecopetrol is also involved in the biofuels business and has a presence in Brazil, Mexico, and the United States (Gulf of Mexico and Permian Texas). Ecopetrol's shares are listed on the Colombian Stock Exchange and the New York Stock Exchange, represented by ADRs (American Depositary Receipts). The Republic of Colombia is the majority shareholder with an 88.49% stake.</p> <p><u>History</u></p> <p>The reversion of the De Mares Concession to the Colombian State on August 25, 1951, gave rise to the Empresa Colombiana de Petróleos. The newly formed company took over the reverted assets of the Tropical Oil Company, which began petroleum activities in Colombia in 1921 by bringing the La Cira-Infantas Field into production in the</p>

Middle Magdalena Valley, located about 300 kilometers northeast of Bogotá. Ecopetrol undertook activities in the oil chain as an Industrial and Commercial State Enterprise, responsible for managing the nation's hydrocarbon resources, and grew as other concessions reverted and incorporated their operations.

In 1961, it took over direct management of the Barrancabermeja refinery. Thirteen years later, it purchased the Cartagena Refinery, built by Intercol in 1956. In 1970, it adopted its first organic statute, which confirmed its nature as an industrial and commercial state enterprise, linked to the Ministry of Mines and Energy, under the fiscal oversight of the Comptroller General of the Republic.

The company operates as a commercial entity, engaged in activities related to the petroleum industry and its affiliates, according to private law rules and its statutory norms, except as otherwise provided by law (Decree 1209 of 1994). In September 1983, one of the best pieces of news in Ecopetrol's history and for Colombia occurred: the discovery of the Caño Limón Field in partnership with OXY, a reservoir with estimated reserves of 1.1 billion barrels. Thanks to this field, the company entered a new era, and in 1986, Colombia became an oil-exporting country again.

In the 1990s, Colombia extended its oil self-sufficiency with the discovery of the giant Cusiana and Cupiagua fields in the Piedemonte Llanero, in partnership with the British Petroleum Company.

In 2003, the Colombian government restructured the Empresa Colombiana de Petr6leos to internationalize it and make it more competitive in the global hydrocarbons industry. With the issuance of Decree 1760 on June 26, 2003, it modified the organic structure of the Empresa Colombiana de Petr6leos, converting it into Ecopetrol S.A., a wholly state-owned public limited company linked to the Ministry of Mines and Energy and governed by its bylaws notarized in Public Deed number 4832 on October 31, 2005, granted in the Second Notary Office of the Bogotá Notarial Circuit, and clarified by Public Deed number 5773 on December 23, 2005.

With the transformation of the Empresa Colombiana de Petr6leos into the new Ecopetrol S.A., the company was relieved of its state functions as the manager of petroleum resources, and to perform this function, the ANH (National Hydrocarbons Agency) was created.

Since 2003, Ecopetrol S.A. has entered an era in which, with greater autonomy, it has accelerated its exploration activities, its ability to achieve results with a business and commercial vision, and its interest in improving its competitiveness in the global oil market. Currently, Ecopetrol S.A. is the largest company in the country, with a net profit of \$15.4 trillion recorded in 2011, and the leading oil company in Colombia. Due to its size, it belongs to the group of the 40 largest oil companies in the world and is one of the four main ones in Latin America.

Business model

As mentioned earlier, ECOPETROL is a company that participates in all links of the hydrocarbons chain: exploration, production, transportation, refining, and marketing.

Exploration is the first link in Ecopetrol's value chain. Its main objective is to explore, discover, and delineate commercially viable hydrocarbon accumulations, aiming to secure the reserve replacement required for the sustainability of the Ecopetrol Group. To centralize, unify, and manage hydrocarbon exploration activities, Ecopetrol has an exploratory process that integrates all group subsidiaries, defining the requirements and decision-making instances throughout the lifecycle of an exploratory project to promote operational discipline and planning of exploratory opportunities. Additionally, the exploratory process seeks to optimize the management of the exploratory portfolio, maintain high standards of technical assurance, guide efforts towards meeting the exploratory strategy, and expedite the maturation of opportunities and their conversion to discovered, contingent resources, and reserves.

Production of crude oil and gas is the second link in the value chain, carried out directly or in partnership with other companies. In 2020, the Ecopetrol Group's production was 697 thousand barrels of oil equivalent per day (kbped), representing 99.6% of the year's target, despite the challenging market situation in 2020 due to the COVID-19 health emergency, a reduction in hydrocarbon demand, and the low-price crisis. The Ecopetrol Group reaffirms its commitment to its operations in the Gulf of Mexico and the comprehensive development of non-conventionals in the United States. Currently,

the Ecopetrol Group does not have, nor does it plan to have, exploration and exploitation operations in the Arctic region.

Transportation is the third link in Ecopetrol's value chain. It is carried out through pipeline systems, polyducts, and multimodal transportation (river fleet and tanker trucks), transporting crude oil from production fields to refineries or export ports. Since 2013, the Ecopetrol Group's transportation business has been led by Cenit, a wholly-owned subsidiary of Ecopetrol S.A. The Vice Presidency of Transportation Operations and Maintenance (VIT) manages and oversees the maintenance of hydrocarbon transportation infrastructure of Ecopetrol subsidiaries. Since September 2019, the Vice Presidency includes the Logistics Operations Department and the River Operations and Maintenance Department, aiming to focus on core processes, leverage technical capacity, and the expertise of each team member.

Refining and petrochemicals is the fourth link in the value chain, originating in the Barrancabermeja and Cartagena refineries. Crudes arriving from the fields are transformed into value-added products, contributing to employment generation and the dynamization of regional economies.

Commercialization is the final link in the value chain, connecting Ecopetrol with markets in Colombia and worldwide, aiming to maximize value for the Ecopetrol Group through excellence in the commercialization of crude oils, products, petrochemicals, gas, and energy in a clean, safe, and sustainable manner, leveraging human talent, internal optimization, digital tools, and building long-term relationships with clients.

Ethical Principles of ECOPETROL and Its Group Companies

The following principles are rules that constitute a source of responsibility and guide the expected behavior of board members and employees of Ecopetrol S.A. and the group, all individuals or legal entities that have any relationship with it, including beneficiaries, shareholders, contractors, suppliers, agents, partners, clients, allies, bidders, as well as the personnel and firms that contractors engage for the execution of agreed activities:

a) Integrity: It is the behavior that makes us visible as upright, loyal, fair, objective, honest, and transparent individuals before the company and society. An integral person acts consistently with these

characteristics, applicable internal and external regulations, and the principles and rules adopted by the organization to prevent violations of ethical standards and expectations referred to in the Code of Ethics and Conduct. Acting according to this behavior allows us to affirm that acts of money laundering, terrorism financing, fraud, bribery, and corruption (violations of the FCPA Law, gifts and attentions, conflicts of interest) and unethical behavior are not tolerated.

b) Responsibility: It is the moral obligation to make the best effort to achieve business objectives and ensure efficient resource management. Based on this principle, it is mandatory to do everything necessary to develop assigned activities and company goals, complying with applicable provisions contained in the Political Constitution, national and foreign laws, internal regulations, and adopting the Internal Control System. Under this principle, the consequences of decisions made, as well as omissions and excesses, are assumed.

c) Respect: It is the ability to accept and recognize differences with others. This principle protects human, fundamental, and social rights and seeks to recognize others regardless of gender, orientation, race, national or family origin, language, religion, political or philosophical opinion, disability, economic condition, physiognomy, genetic characteristics, educational level, socio-cultural characteristics, difference in thought, expression, way of being, or any other situation

Controlling private sector entity and subsidiaries:

[Shareholding structure](#)

Grupo Ecopetrol, Ecopetrol S.A

Group subsidiaries:

- a) BioEnergy
- b) Cenit
- c) Essenttia
- d) Holcol
- e) Ocesa
- f) ODL – Bicentenario
- g) Refinería de Cartagena S.A.S
- h) Ecopetrol América
- i) Ecopetrol Brasil

- j) Ecopetrol Costa Afuera Colombia
- k) Ecopetrol México
- l) Ecodiesel – Colombia S.A
- m) Ecopetrol energía
- n) Equion
- o) Oleoducto de Colombia
- p) Savia Perú

Upstream:

Financial vehicles – Investments of Ecopetrol Global Energy (100%):

- Ecopetrol USA (100%)
- Ecopetrol America (100%)
- Ecopetrol Permian (100%)
- Ecopetrol Brasil (100%)
- Ecopetrol Perú (100%)
- Ecopetrol México (100%)
- Savia Perú OIG (50%)

Financial vehicles – Investments of Hocol Petroleum Limited (HPL) (100%)

- Hocol (100%)
- Ecopetrol – Costa Afuera Colombia (100%)
- Equion (51%)
- Kalixpan (100%)
- Topili (100%)

Midstream

- Cenit (100%)
- Ocesa (72.65 %)
- Bicentenario Petróleo por Colombia (55.97%)
- Serviport (49%)
- ODL (65%)
- Oleoducto de Colombia (73%)

Downstream

	<p>Investment vehicles – investments of Andean Chemicals LTD</p> <ul style="list-style-type: none"> • Refinería de Cartagena (100%) • Essenttia - Essenttia MB LTDA y Essenttia Resinas del Perú (100%) • Bioenergy SAS y Bioenergy ZF (99.61%) • Ecodiesel de Colombia S.A (50%) <p>Commercialization</p> <ul style="list-style-type: none"> - Ecopetrol Energía (100%) - InverColsa (51.88%) <p>Financial vehicles – Investment</p> <ul style="list-style-type: none"> • Ecopetrol Capital AG (100%) • Black Gold RE (100%)
Countries / regions of operation of the private sector entity:	Colombia, Brasil, México y Estados Unidos
Date of assessment:	The due diligence document was completed in 2019, and the latest update is from April 2021.
Annual turnover in US\$:	\$65,290 MM USD
Number of employees:	According to the company's web page, as of December 31, 2020, Ecopetrol's workforce consisted of 9,770 direct employees, distributed throughout the national territory across more than 90 work bases.
Information sources:	The information in this document was obtained from internet searches, webpages of: Superfinanciera, company , Sustainalitytiks, SPG Global: ESG Scores, Business & Human Rights Resource Centre , and major local and international media outlets.
Credibility of the information:	The collected information includes data from official sources provided by the company and reliable internet sources (company website, news media, as well as major sources for information gathering and risks mentioned above).

Relationships between UNDP staff and the private sector entity

There is no evidence found of any relationship between UNDP staff and the company.

Comments:

Awards

[Awards and recognitions obtained during 2020](#)

- Entered the DJSI MILA Pacific Alliance Index.
- Climbed to the fifth position in the MERCO (Corporate Reputation Monitor in Colombia) ranking of companies with the best reputation in Colombia. Ecopetrol's President, Felipe Bayón, was among the top four business leaders with the best reputation in the country. Additionally, they occupied the fourth position among companies with the greatest ability to attract and retain talent in Colombia.
- Occupied the fourth position in the 2020 ranking of the most valuable Colombian brands, according to the ranking by Kantar and WWP consultancies.
- Occupied the first position in the ANDI Innovation Ranking. With 100 patents, Ecopetrol consolidates itself as the most innovative company in the country.
- The Women Economic Forum, the Women's Indian Chamber of Commerce and Industry, All Ladies League, and the She Is Foundation highlighted Ecopetrol as one of the 20 organizations in Latin America for its work in favor of women and equity.
- Obtained sixth place in the Top 10 National Ranking of inclusive companies, which measures inclusion practices in sexual orientation and gender identity. This recognition was awarded by the LGBTI Chamber of Commerce and the National Consulting Center.
- Received the 'Inspiring Company' award from the Andi Foundation, USAID, and Portafolio in recognition of companies that drive initiatives to solve social challenges and promote inclusion as integral parts of their strategies.
- Ecopetrol was awarded by the International Union for Conservation of Nature and the World Commission on Protected Areas (IUCN - WCPA) for integrating actors toward a common territorial purpose to leverage biodiversity management with the private sector.
- Received the 'Significant Experience in Environmental and Social Management in the Mining and Energy Sector' award

for the Wildlife Project in collaboration with Wildlife Conservation Society (WCS), Fondo Acción, and Fundación Santo Domingo. The recognition was granted by the Ministry of Mines and Energy, the National Hydrocarbons Agency, and the National Mining Agency for conserving 15 wildlife species in the Middle Magdalena, Orinoquia, and Putumayo.

- Occupied the third place in the 2020 Excellence Awards for the Financial Function for the "Oleoductos 2019-2020 Tariff Application" project, recognized for its positive impact on the company's results and stakeholder relations through the oil pipeline tariff negotiation process developed in 2019.
- Received the 2020 Gold Machín Award for Development of Gender Inclusion, Equity, and Diversity Initiatives from the SPE.
- Occupied the first place in the category of Change Management and Impact on Business Transformation and the second place for Process Improvement and Value Creation in the Shared Services Organization Network (SSON) Awards for the "AVE" initiative, which made travel management more user-friendly for Ecopetrol employees.
- Received recognition from the National Police for leadership in El Centro village, as a result of joint efforts with the institution in programs for safety and civic education.

Current certifications

- Corporate Certification (Ecopetrol S.A.), ISO 9001:2015
- Corporate Certification (Ecopetrol S.A.), Vice Presidency of HSE, ISO 14001:2015
- Corporate Certification (Ecopetrol S.A.), Vice Presidency of HSE, ISO 45001:2018
- Information Security Certification – Colombian Petroleum Institute, ISO 27001:2013

Collective initiatives

Ecopetrol participates in various collective initiatives aimed at its core business and sustainability support. These include partnerships and co-development agreements with science and technology institutions, universities, and technology-based companies to foster innovation and support local technology suppliers.

- Partnering Against Corruption Initiative (PACI) of the World Economic Forum.
- United Nations Office on Drugs and Crime (UNODC) Integrity Initiative in Colombia.
- United Nations Global Compact (Principle 10: "Businesses should work against corruption in all its forms, including extortion and bribery").
- Extractive Industries Transparency Initiative (EITI).
- Sectoral Pact for Transparency and Anti-Corruption with the Colombian Chamber of Oil Goods and Services (Campetrol).
- Transparency Pact of the Vice Presidency of the Republic.
- Business Integrity Route - Interinstitutional Network of Transparency and Anti-Corruption (RITA) of the Transparency Secretariat.
- Pact for Legality and Transparency in the Promotion of Local Contracting with the chambers of commerce in Ecopetrol's areas of influence.
- Ecopetrol collaborates with several associations, guilds, and voluntary initiatives that support its core business and sustainability efforts. Notable organizations include the National Business Association of Colombia (ANDI), Mexican Association of Hydrocarbon Companies (AMEXHI), CEO Water Mandate under the Global Compact, World Energy Council Colombian Committee (WEC), among others:
- Innóvate: Promotes research, technological development, and entrepreneurship in the region through annual challenges that solve Ecopetrol's operational problems. Winners of the challenges receive seed capital to develop and implement their solutions.
- C-Emprende: Program by Innpulsa Colombia and the Chambers of Commerce nationwide, where women and men entrepreneurs and innovators turn their dreams and ideas into successful businesses with expert guidance.

- Ruta N: This is the innovation hub in Medellín, created by the Mayor's Office of Medellín, UNE, and EPM. It inspires and fosters innovation in the capital of Antioquia, creating favorable conditions for business and entrepreneurship. Ecopetrol joined Ruta N to encourage this goal and continue expanding its digital ecosystem through challenges. In 2020, Ruta N and Ecopetrol launched the Air Quality Challenge to invite Paisa entrepreneurs to find solutions that complement the technical processes that have improved air quality in the Aburrá Valley. These prototypes will be funded by Ecopetrol and implemented in Medellín.
- Plug and Play: This American initiative is an innovation ecosystem located in Silicon Valley, connecting startups and corporations from various industries. Ecopetrol partnered with them to extend solutions to industry challenges.
- Hackathons: Open innovation spaces promoted by entities like the Ministry of ICT in Colombia. Their purpose is to formulate specific challenges that require creativity from everyone. Challenges related to the needs of the hydrocarbon transportation system and issues associated with HSE culture, fundamental for the Oil & Gas industry, have already been addressed.

Policies:

- [Código de ética y conducta](#)
- [Política integral de Ética y Transparencia](#)
- [Programa de Cumplimiento](#)
- [Estrategia anticorrupción](#)
- [Medidas de prevención contra el COVID 19](#)
- [Declaración de tratamiento de la información personal en Ecopetrol S.A.](#)
- [Guía de Derechos Humanos](#)
- [Estrategia de gestión de Entorno](#)
- [Guía para el relacionamiento con Comunidades Étnicas](#)
- [Código de Buen Gobierno](#)

- [Manual Antifraude](#)
- [Manual Anticorrupción](#)

[Index](#)

- Dow Jones Sustainability Index
- MERCO

[Reports](#)

- [Sustainability Report](#)
 - [2019](#)
 - [2018](#)
 - [2017](#)
- CDP
- [EITI](#)
- SDG Corporate Tracker

[International standards](#)

GRI

Pacto Global

[Certificado Pacto Global, Octubre 15, 2020](#)

ISO 26000

AA1000

[Principios Rectores de Naciones Unidas sobre Empresas y Derechos Humanos](#)

Principios Voluntarios en Seguridad y Derechos Humanos

Associations, guilds and voluntary initiatives

The various associations, guilds, and voluntary initiatives supported by Ecopetrol are related to both the core business and those that support its sustainability. Below are the organizations that Ecopetrol was part of in 2020:

- National Business Association of Colombia, ANDI
- Mexican Association of Hydrocarbon Companies, AMEXHI
- CEO Water Mandate, Global Compact
- Colombian Committee of the World Energy Council, WEC

- Corporation for Research and Development in Asphalt in the Industrial Transport Sector, Corasfaltos
- Interactive Science and Technology Park Corporation of Bucaramanga, Neomundo
- Local Network Corporation of the Global Compact in Colombia
- Global Reporting Initiative, GRI (Gold Community Category)
- Extractive Industries Transparency Initiative (EITI)
- Inter-American Association for Environmental Conservation in the Oil Industry, IPIECA
- Colombian Institute of Technical Standards, ICONTEC
- Initiative towards Integrity by the United Nations Office on Drugs and Crime (UNODC) Colombia
- Sectoral Pact for Transparency and the Fight against Corruption with the Colombian Chamber of Oil Goods and Services, Campetrol
- Transparency Pact of the Office of Transparency of the Vice Presidency of the Republic

UN partner

Does UNDP or any other member of the UN family currently have, or has it previously had, any relationship with the private sector entity?

If **yes**, please briefly explain in the comment box the nature of the relationship with the private sector entity.

No previous partnership.

Comments:

UNDP and Ecopetrol SA signed a cooperation agreement in 2013 aimed at working together to develop and implement strategies to strengthen integrated management of technological risks for government, communities, and businesses, to build safer and more resilient territories. This initiative was implemented in 48 municipalities.

Similarly, in 2016, another cooperation agreement was signed with Ecopetrol SA to support the territorial strategy for equitable and sustainable management of the hydrocarbon sector Phase II, with the goal of promoting human and territorial development in regions with hydrocarbon activity, through the construction of coexistence and territorial peace processes, sustainable social environments, and socio-environmentally sustainable sector operation.

Additionally, in 2017, an agreement was signed to contribute to diversifying local economies by strengthening the business fabric and creating favorable environments for entrepreneurship in Ecopetrol's areas of interest over a period of 3 years.

On February 15, 2021, another alliance was signed between Ecopetrol and UNDP aimed at strengthening Ecopetrol's capacities and those of its stakeholders at the territorial level for public management and sustainable human development. An amendment to this alliance was made on April 29.

Level of due diligence

The risk assessment needs to be completed for any potential partnership with a private sector entity. If the private sector entity is a general participant in a UNDP event, no risk assessment needs to be done. For major event panelists it is recommended that the exclusionary criteria are checked. For any other type of engagement the due diligence needs to be done as defined in the "Level of Due Diligence" matrix (either limited or full due diligence).

The level of due diligence applied will be influenced by the type of partnership and the sector of activity. Please refer to the *Policy on Due Diligence and Partnerships with the Private Sector (2013)* for an overview of the different types of partnership and details about the high-risk sectors mentioned in the footnote. For a detailed description about cases when the risk assessment needs to be done, please refer to the Guideline.

Select the appropriate level of due diligence to be applied from the table below (several types of partnership may apply, select all that are applicable).

NB: Note that for private sector partnerships that involve project funding, the project must also be reviewed to ensure compliance with UNDP's Social and Environmental Standards, including through UNDP's Social and Environmental Screening Procedure (<https://undp.unteamworks.org/ses>).

Sector of activity of the private sector entity Type of partnership	Low-risk	High-risk
Advocacy and policy dialog	<input type="checkbox"/> Limited due diligence. 27 If there are no issues with the exclusionary criteria and significant controversies (Step 1 and 2) you can move directly to decision (Step 4).	<input checked="" type="checkbox"/> Normal due diligence 28 All of the steps in this document must be completed. High-risk sectors include the following, select the one/s that apply: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Oil and gas <input type="checkbox"/> Metals and mining <input type="checkbox"/> Utilities <input type="checkbox"/> Large infrastructure <input type="checkbox"/> Agriculture and fishing <input type="checkbox"/> Timber, pulp and paper <input type="checkbox"/> Alcohol <input type="checkbox"/> Chemicals (incl. pharmaceuticals) <input type="checkbox"/> Clothing, toys and consumer electronics <input type="checkbox"/> Fast food, high sugar drinks and soda A full list can be found in the policy.
Resource mobilization / Private sector entity providing financial resources to UNDP to implement ≤ US\$100,000 (total contribution)		
Resource mobilization / Private sector entity providing financial resources to UNDP to implement >US\$100,000	<input type="checkbox"/> Normal due diligence. 29 All of the steps in this document must be completed.	
Core business for inclusive market development (programmatic joint initiative)		
Innovations (e.g. pro-bono provision of technology to support a UNDP project)		
Transformational partnerships (broader collective partnerships)		

Description of the planned collaboration:

Project's Objective, Roles and Responsibilities

The project proposed as a strategic alliance between Ecopetrol and UNDP aims to promote economic reactivation and territorial revitalization through the execution of community infrastructure projects and the strengthening of social capital in the communities of Toledo-Norte de Santander, Cubará-Boyacá, and Saravena-Arauca.

General Objective:

To combine efforts for territorial revitalization, economic reactivation, and the strengthening of social capital by improving or constructing small and medium-sized community infrastructures with local social organizations in Ecopetrol's areas of influence, aiming to create safe, prosperous, and environmentally sustainable environments for the benefit of the territories and their communities.

Specific Objectives:

Contribute to social cohesion and community participation in the territories within the influence zones of the Colombian Petroleum Company (Ecopetrol), through:

1. Contributing to territorial development through the execution of road and social infrastructure projects that promote coordination between the community and the most relevant local actors (OBS, JAC, local administrations, cooperation agencies, and public-private enterprises).
2. Promoting processes to regain trust and strengthen social capital through community management and the construction of infrastructure projects to stabilize the territories.
3. Improve the living conditions of vulnerable populations by generating decent employment through the construction of infrastructure projects and organizational and community strengthening, contributing to the social and economic development of the region. There will be 46 infrastructure interventions, of which 3 will be carried out in the territory of the U'WA indigenous community reserve. It is important to note that this community approved these interventions through a certification issued on May 10, 2021, and signed by the president of ASOU'WA, Armando Tegria Tegria (see Annex 1).

Context motivating the alliance:

The Agenda 2030 and the achievement of the Sustainable Development Goals (SDGs) require the implementation of immediate actions and strategic collaborative partnerships among all sectors and actors of society. The private sector, public sector, civil society, and international cooperation are called upon to contribute as key allies in closing socio-economic gaps and achieving the objectives set by Colombia in CONPES 3918 of 2018, the Strategy for the Implementation of the Sustainable Development Goals (SDGs).

In the context of the COVID-19 crisis and its impact on poverty and inequality, the Economic Commission for Latin America and the Caribbean (ECLAC) estimates increases in three indicators for the country: a potential increase to 32.5% in poverty, 12.7% in extreme poverty, and a 2.9% increase in the Gini coefficient, as well as a deepening feminization of poverty. It is also estimated that, without the economic means to withstand the emergency situation, between 1 to 3 months, more than 4 million people in Colombia would fall below the poverty line (37%, according to UN Colombia data and UNDP calculations). Lastly, unemployment reached an unprecedented increase of 19.8% in June (DANE 2020). It is important to consider that the country's informality rate is 61.5% (13.5 million people), which is the primary driver for increased poverty due to the lack of social protection systems.

Meanwhile, in the labor market, the unemployment rate changed its trend and stood at 10.5% at the end of 2019 (DANE), showing an upward trend. However, within the framework of the COVID-19 emergency and as a consequence of confinement measures, unemployment rates have shown to be close to 19% in months marked by quarantine. In June, the unemployment rate was recorded at 19.8%, reflecting that approximately 4.5 million people in the country were unemployed, which is nearly 2.2 million more people compared to June 2019. Additionally, the inactive population between June 2019 and June 2020 increased by 18.1%, approximately 2.6 million people (DANE, 2020).

According to estimates from the Ministry of Finance, Gross Domestic Product (GDP) is expected to contract by -7.8% in 2020, due to both pandemic containment measures and effects on international trade and external liquidity shock. The effects have already materialized in the first quarter of 2020 with GDP growth slowing to 1.1%, and a contraction of -15.7% for the second quarter according to DANE data. The most affected productive sectors have been construction, mining and quarrying, artistic activities, entertainment and recreation, tourism, and formal and informal trade (United Nations, 2020).

These challenges posed by the current situation and the socio-economic impacts of the COVID-19 crisis will require a coordinated response at local and national levels, developing strategies and

programs under a multi-actor approach to contribute to economic recovery processes, promoting productive and technological transformation of the micro-enterprise sector, job creation, strengthening human capital, environmental sustainability, and generating opportunities to reduce inequalities among specific population groups and territories.

At the territorial level, the negative impacts of the crisis will mainly occur in regions with pre-existing social problems or those affected by violence phenomena. Therefore, it is necessary to promote strategies to support local government efforts to "leave no one behind", as well as to adapt and expand best practices implemented by international cooperation, civil society, the public sector, and the private sector to address challenges under a comprehensive, territorial, and multi-actor approach.

Comments: A standard high-risk analysis will be conducted, considering that it is a company belonging to the oil and gas sector.

Step 1: Assess the Private sector entity against UNDP Exclusionary Criteria

1.1 Exclusionary criteria

UNDP has defined a set of exclusionary criteria outlining those business practices considered unacceptable to the organization. The Policy on Due Diligence and Partnerships with the Private Sector (2013) defines the threshold limits when UNDP cannot engage with private sector entities involved in the below mentioned exclusionary criteria. The thresholds have also been defined for parent companies, subsidiaries and supply chain, remember to also check any potential issues with them. If any evidence is found, the issue needs to be compared with the exclusionary criteria matrix and defined whether the evidence is within or above the exclusionary criteria threshold.

Manufacture, sale or distribution of controversial weapons or their components, including cluster bombs, anti-personnel mines, biological or chemical weapons or nuclear weapons. ¹⁷⁰	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence 171 <input type="checkbox"/> Not known
Manufacture, sale or distribution of armaments and/or weapons or their components, including military supplies and equipment.	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence above threshold

¹⁷⁰ [The Convention on Certain Conventional Weapons](#), [ICRC](#), [Ethical Investment Research Services](#) and [Ethix Sri Advisors Guidance to institutional investors](#) also covers non-detectable fragments, blinding laser weapons, incendiary weapons, booby traps and depleted uranium ammunition.

¹⁷¹ There is no threshold option as UNDP will not, under any circumstances, partner with a private sector entity that has activities related to controversial weapons.

		<input type="checkbox"/> Evidence within threshold <input type="checkbox"/> Not known
<p>Replica weapons marketed to children.</p>	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence above threshold <input type="checkbox"/> Evidence within threshold <input type="checkbox"/> Not known
<p>Manufacture, sale or distribution of tobacco or tobacco products.</p>	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence above threshold <input type="checkbox"/> Evidence within threshold <input type="checkbox"/> Not known
<p>Violations of UN sanctions and the relevant conventions, treaties, and resolutions, and inclusion in UN ineligibility lists or UNDP vendor sanctions list.</p>	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence above threshold <input type="checkbox"/> Evidence within threshold <input type="checkbox"/> Not known
<p>Involvement in the manufacture, sale and distribution of pornography.</p>	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence above threshold <input type="checkbox"/> Evidence within threshold <input type="checkbox"/> Not known

<p>Manufacture, sale or distribution of substances subject to international bans or phase-outs¹⁷², and wildlife or products regulated under the CITES¹⁷³</p>	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence above threshold <input type="checkbox"/> Evidence within threshold <input type="checkbox"/> Not known
<p>Gambling including casinos, betting etc. (excluding lotteries with charitable objectives).</p>	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence above threshold <input type="checkbox"/> Evidence within threshold <input type="checkbox"/> Not known
<p>Violation of human rights or complicity in human rights violations.</p>	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence above threshold <input type="checkbox"/> Evidence within threshold <input type="checkbox"/> Not known
<p>Use or toleration of forced or compulsory labor.</p>	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence above threshold <input type="checkbox"/> Evidence within threshold <input type="checkbox"/> Not known
<p>Use or toleration of child labor.</p>	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence above threshold

¹⁷² Initiatives and activities with private sector entities falling under the auspices of the Montreal Protocol; and the Stockholm and Minamata Conventions on Ozone depleting substances, POPs and Mercury respectively, will not be covered under this policy but under their specific guidelines.

¹⁷³ CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora) is an international agreement between governments. Its aim is to ensure that international trade in specimens of wild animals and plants does not threaten their survival. <http://www.cites.org>

	<input type="checkbox"/> Evidence within threshold <input type="checkbox"/> Not known
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Comments:

There is no evidence of exclusion criteria preventing or limiting an alliance between the company and UNDP. However, in section 2.1 regarding potential controversies, there is a detailed discussion of news related to allegations of human rights violations. No evidence confirming these allegations was found.

The company has a [Compliance Officer certification regarding procedures for preventing money laundering and terrorist financing risks](#). As [Ecopetrol declares its commitment to human rights defenders](#). Additionally, the company has a [Human Rights Guide](#)

According to the company’s website, Ecopetrol adheres to international standards such as [UN Guiding Principles on Business and Human Rights](#) and the voluntary principles on Security and Human Rights.

Conclusion			
<input checked="" type="checkbox"/> ● All “No evidence” boxes ticked and “Limited due diligence” selected above: 30 Continue with the risk assessment.	<input type="checkbox"/> ● All “No evidence” boxes ticked and “Normal due diligence” selected above: 31 Continue with the risk assessment.	<input type="checkbox"/> ● One or more “Evidence within threshold” or “Not known” boxes ticked / Exception 32 Explain in the comment box why a partnership is still worth pursuing. 33 The complete risk assessment tool including your conclusions must be escalated to HQ after finalization.	<input type="checkbox"/> ● Any exclusionary criteria above threshold, or several “Not known” boxes ticked: 34 Refrain from engaging

Comments:

The alliance between Ecopetrol and UNDP aims to combine efforts for territorial dynamization, economic reactivation, and strengthening of social capital, through the improvement or construction of small and medium-sized community infrastructures with local social organizations in Ecopetrol's influence areas, to generate safe, prosperous, and environmentally sustainable environments for the benefit of the territories and their communities.

Step 2: Research Potential Controversies

2.1 Potential Controversies

Potential partner private sector entities may be exposed to controversies or there may be factors that can cause reputational risks to UNDP. Annex 2 of the *Risk Assessment Tool Guidelines* contains guidance on how to gather information.

List below any controversies and possible reputational risks that are not already covered in step 1.1., i.e. controversies not directly related to exclusionary criteria. Use the comment box to provide details of the criticism. Controversies and reputational risks may relate to issues such as:

Labor	Governance
<ul style="list-style-type: none">• Discrimination at work¹⁷⁴• Freedom of association and the right to collective bargaining• Occupational health and safety• Poor employment conditions	<ul style="list-style-type: none">• Corruption• Fraud• Tax evasion
Communities	Product-related
<ul style="list-style-type: none">• Community health and safety• Impact on livelihoods• Local participation• Social discrimination• Indigenous peoples	<ul style="list-style-type: none">• Product safety• Controversial products or services, e.g. use of conflict minerals in the products• Marketing of breast milk substitutes contrary to the WHO's International Code of Marketing of Breast-Milk Substitutes.¹⁷⁵

¹⁷⁴ This also includes assessing potential partner's commitment to gender equity. For example, do they have family friendly policies, equal wages for equal jobs, work-life balance policies, etc.

¹⁷⁵ The WHO's International Code of Marketing of Breast-Milk Substitutes is available at [WHO website](#)

Environment	Ownership or management	
<ul style="list-style-type: none"> • Pollution (including climate change) • Impact on ecosystems and landscapes Overuse of resources • Waste management • Mistreatment of animals 	<ul style="list-style-type: none"> • Controversies related to the individuals owning or managing the private sector entity 	
Significant criticism from local or global NGOs / media/social media or other significant partners of UNDP (including CSO advisory committee, marginalized people etc.) locally or globally	<input type="checkbox"/> No evidence	<input checked="" type="checkbox"/> Evidence <input type="checkbox"/> Not known
Significant criticism from governmental agencies / political parties that makes UNDP participation politically sensitive	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence <input type="checkbox"/> Not known
Recurring local public events against the private sector entity (e.g. local demonstrations)	<input type="checkbox"/> No evidence	<input checked="" type="checkbox"/> Evidence <input type="checkbox"/> Not known
Global public events (e.g. significant demonstrations at several locations, significant online protests)	<input checked="" type="checkbox"/> No evidence	<input type="checkbox"/> Evidence <input type="checkbox"/> Not known
Relevant legal case in progress/in court etc.	<input type="checkbox"/> No evidence	<input checked="" type="checkbox"/> Evidence <input type="checkbox"/> Not known
Other (specify):	<input type="checkbox"/> No evidence	<input type="checkbox"/> Evidence <input type="checkbox"/> Not known

Comments:

Recommended sources: [Sustainalytics](#); [Business & Human Rights](#)

Comments on potential controversies in the due diligence document carried out in 2019

1. Links to corruption

a. Several processes are currently underway before the competent authorities in Colombia, the most relevant cases being that of the multinational PetroTiger for the delivery of commissions to receive oil exploration and exploitation contracts with the company Ecopetrol, that of the multinational Centurion Drilling, to whom Ecopetrol declared the early termination of the contract for non-compliance but with whom investigations are being carried out against Ecopetrol officials for bribery to the multinational. Lastly, the case of the Cartagena Refinery (REFICAR) of Ecopetrol, which according to a report by the Comptroller's Office incurred cost overruns and irregularities in its expansion, facts that are being investigated by the Attorney General's Office and the Prosecutor's Office.

2. Links to ethnic and environmental facts.

a. During 2016, Ecopetrol had to deal with several conflicts with ethnic and environmental communities, some of which were resolved through tutela actions defined by the Constitutional Court. The cases that are still in process in the High Courts are the tutela action filed in 2013 by the Wayúu ethnic group in Manaure and Riohacha (La Guajira) who requested to be consulted for the RC9 Marine Exploratory Drilling Area project; the indigenous community of the Awá ethnic group, Alto Temblón, claims to be a victim of the multiple environmental impacts caused by oil exploitation in the area of influence of the Orito 70 platform (built in 1971) where wells 196 and 197 were recently drilled, under the figure of minor change and against which the Constitutional Court ordered a consultation and actions that are currently being developed. In 2016, the Unuma - Meta Reservation argued that it had never been consulted regarding the operation of Campo Rubiales, which had affected sacred sites located within the camp, and the Council of State ordered the Ministry of the Interior to conduct a visit to determine whether there was an indigenous community in the camp, its sacred sites, and its transit areas. The Ministry will have to determine whether consultation is required and its scope, but there is still no opinion. Finally, in 2016, the Pasacaballos Community Council filed a tutela arguing that it was affected by the transportation of coke in trucks to the maritime terminal. The Supreme Court requested an opinion from the Ministry of the Interior regarding the presence of the Community Council. The opinion of the Ministry was negative. There is no new ruling from the Court.

Update as of April 2021 of the controversies using Sustainalytics, Rep Risk, Business and Human Rights Resource Centre and the main media.

Sustainalytics results:

ESG Risk Rating: 36.6 High Risk

Controversies: Category 2 – Moderate. The disputes relate to workplace incidents, operational incidents, community incidents and business ethics incidents.

ESG Issues regarded material for the company. [Learn more](#) 

Issue Name	Exposure Score Category	Management Score Category	ESG Risk Rating Score Category	Contribution to ESG Risk Rating
Emissions, Effluents and Waste	9.5 High	30.0 Average	6.9 High	18.9%
Carbon - Products and Services	9.0 High	66.3 Strong	5.4 Medium	14.8%
Community Relations	10.0 High	62.9 Strong	4.3 Medium	11.9%
Corporate Governance	9.0 High	53.7 Strong	4.2 Medium	11.4%
Carbon - Own Operations	8.5 High	67.0 Strong	3.9 Low	10.8%
Occupational Health and Safety	7.6 Medium	67.9 Strong	3.5 Low	9.5%
Bribery and Corruption	6.7 Medium	72.0 Strong	2.8 Low	7.7%
Human Capital	4.8 Medium	64.1 Strong	1.9 Negligible	5.1%
Resource Use	1.9 Low	34.5 Average	1.4 Negligible	3.8%
Land Use and Biodiversity	1.9 Low	35.5 Average	1.2 Negligible	3.3%
Business Ethics	2.7 Low	64.4 Strong	1.0 Negligible	2.9%
Overall	71.5 High	57.5 Strong	36.6 High	100%

Source: Sustainalytics, Ecopetrol S.A

[ESG Methodology](#)

The news pieces related to operational incidents are as follows:

1. [Noticias Canal 1](#): "ANLA reduce multa a Ecopetrol por contaminación ambiental tras explosión del pozo Lisama 158". (2021)
2. [Caracol Radio](#): "Gobernación pide a Ecopetrol estudio de pozos sellados (...) la petición se da luego de la millonaria multa que tiene que pagar la empresa petrolera por derrame del pozo Lisama 158 en Barrancabermeja" (2020)
3. W radio: "Colombian authority fines company over upwelling in Lisama 158" (2020)
4. [El Espectador](#): "Nuevo derrame de crudo en la quebrada la Lisama fue reportado por Ecopetrol" (2021)
5. Business Human Rights: "Colombian authority suspends treated water discharges over oil residue" (2020) and "Colombian residents report wastewater pollution in Guayuriba river" (2021)
6. [Noticias RCN](#): "Ya son tres días de emergencia ambiental por derrame de naftalina en Acacías, Meta" (2020)
7. [Vanguardia](#): "Derrame de crudo en Barrancabermeja habría sido por válvula ilícita (...) Se presume que el elemento fue instalado sobre la infraestructura petrolera para facilitar el hurto de hidrocarburos, como ha sucedido en otros puntos del Magdalena Medio. Los casos más recientes se han concentrado en zona rural de Puerto Wilches y Barrancabermeja, dejando grandes afectaciones ambientales" (2019)
8. [Radio Nacional de Colombia](#): "Continúan derrames de crudo en Puerto Wilches (Santander)". (2020)
9. [Caracol Radio](#): "Emergencia por derrame de hidrocarburo en el río Córdoba" (2020)
10. [Sputnik News](#): "Oil pipeline attacked in Colombia causing Guamues River contamination, Ecopetrol says (...) an attack on the Transandino pipeline in Colombia has caused an oil spill that is contaminating the Guamues River, Colombia's oil giant Ecopetrol has announced" (2019)
11. Business Human Rights: "Alert system activated following oil spill in Puerto Boyacá" (2018)
12. [Mongobay](#): "Colombian Town faces earthquakes, pollution, water shortages as industry expands" (2019)
13. [Agencia de información Laboral AIL-ENS](#): "Colombia: Comentario cuestiona la corrupción en la privatización propuesta de ISA y CENIT"
14. [ONG colombiana Corporación Colectivo de Abogados José Alvear Restrepo \(CCAJAR\)](#): "Colombia: ONG presenta informe de patrones empresariales en el conflicto armado a la Comisión de la Verdad" las empresas mencionadas que hacen parte del grupo empresarial de Ecopetrol son: Equion, Ocesa y Ecopetrol. Equion, Ocesa y Ecopetrol dieron respuesta: [link1](#), [link2](#) y [link3](#)
15. [The Dialogue; Inter-American Development Bank](#): Latin America: Report analyses the role of state oil companies in strategies to combat climate change (2020)

16. [Forjando Futuros](#): ONG presenta infografía sobre despojo de tierras por 66 empresas (2020)
17. [Semana](#): La preocupación de ambientalistas del Magdalena Medio por el inicio de pilotos de fracking. Responsabilizan al Gobierno, la ANH, Ecopetrol y ExxonMobil de las amenazas, desplazamientos, atentados y violaciones de los derechos humanos que se puedan presentar en la región por cuenta del desarrollo de estos proyectos. (2021)

The news related to incidents involving Ecopetrol workers are as follows:

1. [W Radio](#): "Protesta indefinida adelantan trabajadores de planta de Ecopetrol en Puerto Boyacá" (2020)
2. [ITUC CSI IGB](#) (informe sobre las violaciones a los derechos sindicales): "Colombia – oil worker's union denounces anti-union dismissals" (2020)
3. Oil Change International: "Colombian authority fines company for not complying with labor laws" (2020)
4. [Colosal Noticias](#): Sindicato del Meta logra fallos favorables ante abusos por empresas contratistas de Ecopetrol
5. [Contagio Radio](#): Trabajadores de 54 plantas de Ecopetrol protestan contra la posible venta de la empresa estatal. (2020)

Las noticias relacionadas con incidentes de trabajo y ética son las siguientes:

1. CE Noticias Financieras: "Court orders executives to pay compensation for cost overruns" (2021)
2. CE Noticias Financieras: "Colombia court upholds imprisonment against former official over bribery" (2020)
3. CE Noticias Financieras: "Former president sanctioned over cost overruns in Colombia" (2020)
4. Radio Santa Fe: "State comptroller charges 20 individuals for Reficar Losses" (2018)
5. Colombia Reports: "Colombian Fiscal authorities launch investigation into Reficar". (2017)
6. [Contagio Radio](#): Ecopetrol habría realizado piloto de Fracking sin licencia ambiental. (2021)
7. [La República](#): Una gran irresponsabilidad ambiental. (2020)

Las noticias relacionadas con incidentes con comunidades y derechos humanos son las siguientes:

1. CE Noticias Financieras: "Explosive attack pipeline leads to oil-filled crater in Colombia" (2021)
2. [Caracol Radio](#): "Ecopetrol denuncia que se mantiene instalación de válvulas ilícitas" (2021) frente a estos incidentes de instalación de válvulas ilícitas se encontraron varias noticias en diferentes puntos del país.
3. [Opa Noticias](#): "Afectado oleoducto de Caño Limón – Coveñas por nuevo atentado" (2020)

4. [Caracol Radio](#): “Inicia plan de contingencia tras atentado a Caño Limón – Coveñas en Arauca (...) el atentado ocurrió en el tramo de oleoducto que cruza por Saravena” (2020)
5. CE Noticias Financieras: “Company claims losses due to illegal oil extraction in Colombia” (2020)
6. [Caracol Radio](#): “Ecopetrol activó plan de contingencia por derrame de crudo (...) la afectación se presentó en el municipio de El Carmen, Norte de Santander” (2020)
7. [Zona Cero](#): “Investigan derrames en el Golfo de Morrosquillo” (2017)
8. CE Noticias Financieras: “Local representatives request suspension of fracking projects in Santander” (2021)
9. [Diario Extra](#): “Comunidad neuvana sobre Ecopetrol “Nos acabaron con la fertilidad de la tierra y el agua” (2020)
10. [Pacocol](#): “Comunidades llaneras piden a Ecopetrol cumplir acuerdos en Apiay, Meta” (2021)
11. [Kaos en la Red](#): Pese a pandemia y sin consultar a comunidades, se anuncian proyectos de investigación para fractura hidráulica. (2020)
12. [Tierra de Residentes en El Espectador](#): Defensores del agua del Putumayo amenazados por denunciar contaminación de Gran Tierra Energy y agroquímicos. (2020) – Esta noticia tiene que ver con los antiguos pozos de Ecopetrol que hoy pasaron a la empresa Gran Tierra Energy
13. [Business & Human Rights Resource Centre](#): Informe de ONG señala abusos de derechos humanos por petroleras en Putumayo. Para ver la respuesta de Ecopetrol en este [link](#)
14. [Kaos en la Red](#): Aplazan audiencia preparatoria de líderes que se oponen a Ecopetrol y Frontera Energy. (2020)
15. [Business & Human Rights Resource Centre](#): Indígenas Sikuaní protestan ante Ecopetrol por la criminalización de sus líderes.
16. [Colombia Reports](#): Report by BHRRC links Ecopetrol, Anglo American, BHP, Glencore and AngloGold Ashanti to majority of attacks against human rights defenders related to business. (2020)
17. [Business and Human Rights Resource Centre](#): Woman indigenous leader Angelica Ortiz denounces abuse by businesses as country faces scrutiny at UN.
18. [Colombia Informa](#): Universidad pública base de datos sobre empresas investigadas por la justicia transicional. (2020)
19. [El Espectador](#): Fiscalía presenta acusación contra ex jefe de seguridad de Ecopetrol por su presunta participación en masacre en Barrancabermeja. (2019)
20. [Relator Especial sobre la situación de los defensores de los derechos humanos](#): Informe del Relator Especial sobre la situación de los defensores de los derechos humanos. (2019)

21. [Fundación Comité de Solidaridad con los Presos Políticos – FCSP; Organización Mundial Contra la Tortura – OMCT; Corporación Social para la Asesoría y Capacitación Comunitaria – COSPACC](#): ONG presenta informe sobre criminalización de defensores de derechos humanos. (2019)
22. [SOMO e Indepaz](#): Estudio de ONG sobre Bioenergy, de Ecopetrol, señala graves efectos de acaparamiento de tierras; incluye comentarios de la empresa. (2019).
23. [El Mundo](#): Mueren 13 personas tras la explosión de un oleoducto en Colombia (2011)
24. [El Universal](#): Explosión de Dosquebradas fue por falta de mantenimiento: CGN (2012)
25. [Universidad Jorge Tadeo Lozano](#): Complicidad empresarial con grupos paramilitares: un análisis al caso colombiano (2020)

The following news was found regarding the U'WAS indigenous community:

1. The Guardian: Will the U'was be forced to threaten to commit mass suicide again? Gas company wants to drill on indigenous people's ancestral territory in Colombia. (2014) <https://www.theguardian.com/environment/andes-to-the-amazon/2014/jun/17/will-uwas-forced-threaten-commit-mass-suicide-again>
2. Las 2 Orillas: Los indígenas U'wa necesitan apoyo y protección urgente' Exigen la devolución de dos territorios esenciales para su comunidad: la Sierra Nevada del Cocuy y la vereda Cedeño. (2016) <https://www.las2orillas.co/el-pueblo-uwa-necesita-apoyo-y-proteccion-urgente/>
3. La Opinión: La población indígena U'wa regresó para exigir tierras. (2016) <https://www.laopinion.com.co/region/la-poblacion-indigena-uwa-regreso-para-exigir-tierras>
4. Semana: Uwas siguen oponiéndose a reparación de oleoducto: Los indígenas solicitan la entrega de sus territorios ancestrales y reparación por los daños ambientales. (2014) <https://www.semana.com/nacion/articulo/uwas-siguen-oponiendose-reparacion-de-oleoducto/385372-3/>
5. Caracol Radio: U'was llevan 3 días protestando en gasoducto entre Boyacá y N. de Santander. (2019) https://caracol.com.co/emisora/2019/03/29/tunja/1553864410_979463.html
6. [BBC News: Los U'wa contra las petroleras \(2009\)](#). Se destaca comentario del ambientalista de Amazon Watch, Andrew Miller en la noticia https://www.bbc.com/mundo/america_latina/2009/06/090624_especial_indigenas_colombia

7. [Semana](#): "Fracking: relatora especial de la CIDH pide prohibir esta técnica en Colombia. (2021)

- Additionally, the company reports on its website the [ongoing judicial processes](#).
- Likewise, when consulting the Ecopetrol page reported to the Superfinanciera, 6 fines or sanctions imposed by government entities are identified:

1. On 04/30/2021 Ecopetrol reports on the sanction imposed by the Environmental Licensing Authority ANLA on the occasion of the construction phase of the Andean Pipeline
2. On 04/01/2021 Ecopetrol reports a decision on the confirmation of a sanction imposed by CORMACARENA
3. On 02/09/2021 Ecopetrol reports the decision of the ANLA on Lisama 158
4. On 11/14/2020 Ecopetrol reports on a sanction imposed by the Superintendency of Public Services
5. On 11/05/2020 Ecopetrol reports on the imposition of a sanction by the Regional Autonomous Corporation of Valle del Cauca
6. On 04/01/2021 Ecopetrol reports on the decision of the ANLA on Lisama 158
7. On 02/09/2021 Ecopetrol reports on the decision of the ANLA on Lisama 158
8. On 02/09/2021 Ecopetrol reports on the decision of the ANLA on Lisama 158
9. On 02/09/2021 Ecopetrol reports on the decision of the ANLA on Lisama 158
10. On 02/09/2021 Ecopetrol reports on the decision of the ANLA on Lisama 158
11. On 02/09/2021 Ecopetrol reports on the decision of the ANLA on Lisama 158
12. On 02/09/2021 Ecopetrol reports on the decision of the ANLA on Lisama 158
13. On 02/09/2021 Ecopetrol reports on the decision of the ANLA on Lisama 158
14. On 02/09/2021 Ecopetrol reports on the decision of the Superin 12/06/2020 Ecopetrol reports on the sanction imposed by the Regional Autonomous Corporation of Valle del Cauca.

Conclusion

 All "No evidence" boxes ticked

35'Normal due diligence' - Continue with the risk assessment.

36'Limited due diligence' - If there was no evidence of exclusionary criteria and no evidence of significant controversies you may skip Step 3 and move directly to the Step 4 "Make a decision". The decision can be taken locally.

 One or more "Evidence" or "Not known" boxes ticked

37Research publicly available sources (e.g. search for public statements from the private sector entity), or contact the private sector entity to assess how it addresses the identified significant controversies. List these elements in the comment box below.

38Continue with the risk assessment. Consult with HQ to determine escalation of the decision to HQ after risk assessment finalization.

Comments:

Evidence is identified in the media of: significant criticism from NGOs, media, local or global social networks or other important partners of UNDP (including the CSO advisory committee, marginalized people, etc.) at local or global level as well as recurring local public events against the private sector entity (for example, local demonstrations)

The main controversies identified are related to oil spills in the different areas of influence of the company, some of these spills are also caused by direct attacks on the crude oil transport infrastructure by groups outside the law, incidents and misconduct with the company's workers, relations with indigenous groups in the areas of influence and the environmental effects of extractive activity.

Some of the company's responses to the accusations are: [link](#), [Link1](#), [link2](#), [link3 y link](#)

Some of the certifications that the company has and that contribute to the commitments with the environment, communities and workers are:

Policies

- [Código de ética y conducta](#)
- [Política integral de Ética y Transparencia](#)
- [Programa de Cumplimiento](#)
- [Estrategia anticorrupción](#)
- [Medidas de prevención contra el COVID 19](#)
- [Declaración de tratamiento de la información personal en Ecopetrol S.A.](#)
- [Guía de Derechos Humanos](#)
- [Estrategia de gestión de Entorno](#)
- [Guía para el relacionamiento con Comunidades Étnicas](#)
- [Código de Buen Gobierno](#)
- [Manual Antifraude](#)
- [Manual Anticorrupción](#)

Index

- Dow Jones Sustainability Index
- MERCO

International Standards

GRI

Pacto Global

Certificado Pacto Global, Octubre 15, 2020

ISO 26000

AA1000

Principios Rectores de Naciones Unidas sobre Empresas y Derechos Humanos

Principios Voluntarios en Seguridad y Derechos Humanos

Step 3: Assess the Private sector entity's Commitment to ESG and the Partnership Risks and Benefits

3 a) Private sector entity's engagements ¹⁷⁶		
Is the private sector entity a participant in the UN Global Compact?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known
If "yes" to the question above: Is the private sector entity actively communicating its progress and level of reporting? See: General Communication on Progress (COP)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known
Does the private sector entity have any sustainability-related certifications or reporting (e.g. ISO14001, SA8000, AA1000, OHSAS 18001, or GRI Principles)? Provide details in the comment box below.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known
Is the private sector entity included in any sustainability or ESG-related indices (e.g. FTSE4Good, Dow Jones Sustainability Indexes, etc.), or similar national/regional initiatives? Does the private sector entity abide by any voluntary sustainability or ethical principles or guidelines ¹⁷⁷ ? List them in the comment box below.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known
Comments: <i>*Recommended sources: Global Compact; SAM Yearbook *</i> Pacto Global : Ecopetrol is a company committed to the Ten Principles of the Global Compact and has been a member of this global initiative since 2010. Annually, Ecopetrol reports its progress in goals and management related to the Ten Principles of the Global Compact through the Integrated Sustainable Management Report. The company is also part of the CEO Water Mandate, which is part of this initiative.		

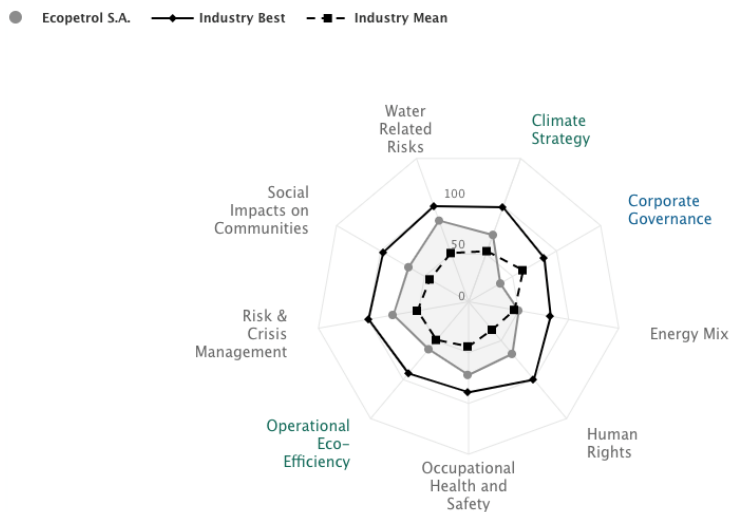
¹⁷⁶ The private sector entity does not have to have a positive answer to all these questions, especially SMEs and even larger domestically oriented private sector entities may not be engaged in these initiatives.

¹⁷⁷ Examples of voluntary sustainability or ethical principles include: e.g. Principles for Responsible Investment, Extractive Industries Transparency Initiative, Voluntary Principles on Security and Human Rights, Equator Principles.

Some of the [International Standards](#) that the company adheres to:

1. GRI
2. Pacto Global
3. Certificado Pacto Global, Octubre 15, 2020
4. ISO 26000
5. AA1000
6. UN Guiding Principles on Business and Human Rights
7. Voluntary principles on Security and Human Rights

The company has the Dow Jones Sustainability Index and [Sustainability Yearbook Member \(ESG score\)](#) . The latter is 66 and an image of the score for each of the dimensions is attached.



*If no score is shown, the criterion is material to the industry but not to the company's business case.

Source: <https://www.spglobal.com/esg/scores/results?cid=4229355>

3 b) Private sector entity's commitment to ESG issues 178

Human rights:

Does the private sector entity have a policy and a monitoring system that seeks to prevent or mitigate adverse human rights impacts, especially on the local communities, that are **directly linked to its operations**? 179

Yes

No

Not known

178 The private sector entity does not have to have a positive answer to all these questions, especially SMEs and even larger domestically oriented private sector entities may not have all the different policies and systems in place.

179 An example of a [framework specifically designed for human rights](#)

Does the policy and a monitoring system cover occupational health and safety issues , ensuring that workers are afforded safe, suitable and sanitary working conditions? ¹⁸⁰	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known
Does the policy and monitoring system cover land or property issues, i.e. does the private sector entity ensure that all affected owners and users of the land or property used by the private sector entity have been adequately consulted and compensated ?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/> No <input type="checkbox"/> Not known
Does the policy and monitoring system cover the rights of indigenous peoples , and in particular the principles of self-determination and self-governance, the right to lands and natural resources, including issues of resettlement, and the right to free, prior and informed consent?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/> No <input type="checkbox"/> Not known
Does the policy and monitoring system cover the private sector entity's security arrangements , i.e. whether or not they comply with international human rights principles for law enforcement and the use of force (e.g. have security personnel received adequate human rights training)? ¹⁸¹	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/> No <input type="checkbox"/> Not known
Does the private sector entity have an appropriate dispute resolution mechanism that is in line with the human rights norms and principles?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/> No <input type="checkbox"/> Not known
Does the private sector entity have a policy and a monitoring system that seeks to prevent or mitigate adverse human rights impacts that are directly linked to products and services by its business relationships (business partners, entities in its value chain, other non-State or State entities)?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known
Labor:		
Does the private sector entity have a policy and a monitoring system to ensure fair labor practices ¹⁸² at its operations ?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known

¹⁸⁰ Useful resources can be found at [ILO website](#)

¹⁸¹ Useful resources can be found at [Global Compact website](#)

¹⁸² International Labor Standards provide a framework for fair labor practices. The fundamental conventions include: Freedom of Association and Protection of the Right to Organise Convention, 1948; Right to Organise and Collective Bargaining Convention, 1949; Forced Labour Convention, 1930; Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999; Equal Remuneration Convention, 1951; and Discrimination (Employment and Occupation) Convention, 1958. ([ILO](#))

Does the policy and monitoring system adequately ensure equal opportunity to all employees and applicants regardless of ethnic origin, color, age, gender, sexual orientation, religion, marital status?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known
Does the private sector entity have a policy and a monitoring system that seeks to promote fair labor practices in its interactions with suppliers and business partners ?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known
Does the policy and monitoring system ensure freedom of association and the right to collective bargaining ?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known
Does the policy and monitoring system ensure the elimination of forced or compulsory labor ?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known
Does the policy and monitoring system ensure the elimination of child labor ?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known
Environment:		
Does the private sector entity have a policy and a monitoring system to minimize environmental damage at its operations ?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/> No <input type="checkbox"/> Not known
Does the private sector entity have a policy and a monitoring system which it applies to working with suppliers to improve environmental performance, extending responsibility down the supply chain ?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/> No <input type="checkbox"/> Not known
Does the private sector entity have a policy and a monitoring system to reduce emissions (emissions to air, waste and effluents)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/> No <input type="checkbox"/> Not known
Does the private sector entity have a policy and a monitoring system to ensure that natural resources are used in a sustainable manner?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/> No <input type="checkbox"/> Not known
Does the private sector entity take action to reduce energy consumption ?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not known
Does the private sector entity prevent, minimize and remedy significant impacts on biodiversity ?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/> No <input type="checkbox"/> Not known
Does the private sector entity have emergency procedures in place to prevent and address industrial accidents affecting the environment and human health effectively?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/> No <input type="checkbox"/> Not known

Good governance:

Does the private sector entity have a policy and a monitoring system stating that it will not engage in corruption at any time or in any form in its interaction with suppliers, intermediaries, governments and business partners?

Yes

No

Not known

Comments:

Recommended sources: Private sector entity's Sustainability Report, Annual Report, Yearbook, Policies, etc

Human Rights

By adhering to the Global Compact initiative, Ecopetrol has established policies and strategies to comply with the principles of human rights, labor standards, and the environment. In relation to human rights, Ecopetrol also adhered to the Colombia Guides on Human Rights and International Humanitarian Law (IHL) initiative and the Extractive Industries Transparency Initiative (EITI).

Guías Colombia

Colombia Guides on Human Rights (DDHH) and International Humanitarian Law (IHL) is a voluntary multi-stakeholder initiative that has brought together companies, State entities, civil society organizations and international organizations since 2006. Its mission is to contribute to improving the situation of human rights and IHL in the country, based on the generation of practical guidelines on due diligence for companies that promote operations that respect human rights.

As a sign of Ecopetrol's commitment to the implementation of the Guidelines resulting from the initiative, the company has applied the tool to identify gaps in Human Rights, referring to the application of the Guide for the purchase and acquisition of land rights and rights of use.

By 2020, Ecopetrol will apply the tool to close gaps in relation to the application of the Guide to Complaints and Claims Mechanisms attentive to human rights and IHL.

In order to meet the responsibilities assumed in relation to respect for human rights, Ecopetrol's management in this area is based on three premises:

- i) The public commitment to respect human rights, ensuring action consistent with what has been declared.
- ii) The understanding of human rights as a cross-cutting issue for all interest groups and the material issues of the organization.
- iii) Nature. As a company with state participation, they must lead by example and make "an additional effort" in the management of these issues.

Human Rights Policies

Ecopetrol has a Human Rights policy, which was updated in 2019. The new version of the [Human Rights Guide](#) highlights the following:

- Ecopetrol explicitly recognizes its commitment to respect for human rights, basing its actions on the provisions of the following international standards:
 - (i) United Nations Guiding Principles on Business and Human Rights
 - (ii) The Ten Principles of the Global Compact
 - (iii) The ILO Declaration on Fundamental Principles and Rights at Work
 - (iv) The Voluntary Principles on Security and Human Rights.

Additionally, five principles are incorporated that guide management in Human Rights.

1. Due diligence in Human Rights
2. Transversality
3. Complementarity
4. Collaborative work

- Highlighted human rights:

1. Right to life
2. Right to personal integrity
3. Right to personal liberty
4. Freedom of association and collective bargaining
5. Right to decent, favourable and adequate working conditions
6. Rights of children and prevention of child labour
7. Right to equality and non-discrimination in employment or occupation
8. Right to freedom of expression
9. Right to information
10. Right to participation of ethnic groups through prior consultation
11. Collective and environmental rights.

[Ethnic groups and operations](#)

Colombia, through Article 7 of the 1991 Political Constitution, recognizes and protects the ethnic and cultural diversity of the Nation. The ethnic groups that inhabit the national territory are: indigenous, Afro-Colombian, Raizal, Palenquera and Gypsy populations. The self-recognition of an individual or group as a member of an ethnic group is the starting point for the application of the Colombian legal framework, which in this matter is based on three principles:

- **Autonomy:** Ethnic groups, as political subjects, consider that their long presence in the territories, the exercise of their own governments and the identity manifest in their uses and customs, grants them the power to regulate themselves under their customary law. It is also considered as the faculty that ethnic groups have to organize and direct their internal life in accordance with their own values, institutions and mechanisms within the framework of the State.

- Territory: The recognition of the relationship between the cultural survival of ethnic groups and the occupation of the territory where they have traditionally settled, has supported the promulgation of norms of different order aimed at protecting said relationship. Such relationships constitute the fundamental basis of the social, economic, cultural and spiritual life of ethnic groups.
- Participation: The right to participate from their perspective of development and in the exercise of the rights that assist them. Prior Consultation materializes, under a differential approach, the right to participation. The Consultation is a space for consultation where communities in assembly, and with the presence of their representative authorities, have the opportunity to learn about the projects, works or activities that are intended to be developed in their territories, their phases, specific actions; and the changes (or impacts) that they could generate in the communities. Based on this information, the community has the opportunity to learn about and evaluate the potential impacts and their management measures; to propose prevention, mitigation and compensation measures taking into account the knowledge of their environment, their conception of development and their priorities with respect to their life plan.

Labour issues

The Women Economic Forum, the Women's Indian Chamber of Commerce and Industry, the All Ladies League and the She Is Foundation, highlighted Ecopetrol as one of the 20 organizations in Latin America for its work in favor of women and equality.

They obtained sixth place in the Top 10 of the National Ranking of inclusive companies that measures practices of inclusion in sexual orientation and gender identity, recognition granted by the LGTBI Chamber of Commerce and the National Consulting Center.

Ecopetrol has a [Diversity and Inclusion Program](#):

"Organizations need to evolve, grow and be a reference for the society we dream of. At the Ecopetrol Group we are committed to giving value to diversity, embracing differences and promoting the development of increasingly inclusive environments, where all people feel welcome, appreciated, treated with fairness and respect, and where they receive equal opportunities so that they can contribute the best of themselves."

For this reason, they have created the Diversity and Inclusion Program, recognizing the power of diversity in three key perspectives: On talent, on our corporate responsibility and on the business perspective.

Human Rights in Supply Chain

Ecopetrol's commitment to the supply chain

Ecopetrol, through its internal labor regulations for contracted activities, establishes the labor standards that all suppliers must comply with when carrying out activities for the company.

Through our policy, we make explicit our commitment to respecting all Human Rights, with special consideration in the supply chain:

1. Decent, favorable and adequate working conditions.
2. Freedom of union association and collective bargaining.
3. Equality in terms of employment and occupation.
4. The abolition of any form of child labor.

Environment

[Ecopetrol](#) is committed to the country and to mitigating the effects of climate change, for this reason, it has designed a new innovation and technology strategy that allows it to reduce the carbon footprint of its operations and products, including increasingly cleaner fuels.

It also has an [energy transition and carbon-neutrality strategy](#) that seeks:

- ➔ Energy diversification (solar, geothermal and green hydrogen).
- ➔ Optimal use of water (re-use, agro-industrial use, optimal quality).
- ➔ Capture and use of CO₂, reduction of fugitive emissions and zero flaring in flares.
- ➔ Petrochemicals of petroleum waste (asphalt binders, fossil charcoal, carbon fiber, etc.).
- ➔ Co-processing of bio-oils in refining and stable and profitable production of ethanol and biodiesel.

It also seeks to advance towards energy transition and carbon-neutrality; to join the Mission of Wise Men initiative to build a more biodiverse, productive and equitable Colombia; and to generate greater value for its shareholders and the country based on science, technology, innovation and digital culture.

Ecopetrol is aligned with [Misión de Sabios](#), which seeks to make Colombia a more equitable, productive and biodiverse country. Efforts will focus on the creation of research, development and innovation networks to advance initiatives such as:

- ➔ Restoration and preservation of ecosystems for CO2 capture.
- ➔ Use of production water in agroforestry initiatives or manufacturing industry.
- ➔ Non-conventional renewable energies.
- ➔ Advanced materials from heavy petroleum fractions.
- ➔ Research incubators in rural educational institutions with a focus on the productive vocation of the region.

[How does Ecopetrol uses energy?](#)

At Ecopetrol, they use energy to drive the country's energy transition, which is why they are building the second of the 7 Mega Solar Parks they will have. The San Fernando Solar Park will have 113 thousand state-of-the-art panels, thus becoming the largest self-generation center for renewable energy in Colombia and thus avoiding the emission of more than 500 thousand tons of CO2e during the next 15 years, which is equivalent to the planting of more than 3.9 million tons of CO2e.

They are also increasing the supply of gas so that more Colombians have access to this resource, thus supporting economic development and improving the quality of life of millions of Colombians.

According to their website, they are committed to reducing routine flares and 20% of CO2 emissions to zero by 2030. They also joined the World Bank's (WB) initiative "Zero Routine Flaring by 2030." The company has four environmental strategic guidelines with the objective of: seeking to prevent, control, mitigate and compensate the potential environmental impacts of operations and projects in order to contribute to the improvement of the environmental quality of the territories in which it operates and to sustainable development. Additionally, as part of this management, environmental permits and authorizations are obtained to carry out works, projects and activities before the competent authorities and strict compliance with the requirements established by them is monitored.

Likewise, through environmental management, environmental initiatives and projects are developed on a voluntary and mandatory basis in order to improve knowledge about the territories, the prevention and minimization of impacts and the contribution to the conservation and restoration of natural ecosystems in the regions.

For the period 2017-2020, Ecopetrol's environmental strategic guidelines prioritize four lines of action:

[Water management](#)

Its objective is to incorporate efficient water management into the organization's value chain as an enabler of projects and operations, seeking: the sustainability of the company; the reduction of environmental impacts and conflicts associated with water, and water security in the environment. The Integrated Water Management strategy includes the following axes:

- ➔ Operational efficiency in water management: seeks the proper management of water resources in operations, so that the reuse and recycling of this resource is maximized, contributing to its sustainability.
- ➔ Sustainability and water security in the environment: focuses on the sustainability and water security of the environment, in order to guarantee the supply of natural capital for the recovery and conservation of water sources, as well as to promote the development of initiatives that reduce the gap in access to drinking water and basic sanitation of the communities present in the environment.
- ➔
- ➔ Water planning and water governance: aims to contribute to the territorial planning processes in the areas of strategic interest of the company, actively participating and providing relevant information in them, as well as promoting the generation of governance mechanisms that integrate natural capital management initiatives for the regulation and availability of water resources.

Climate Change

Ecopetrol has a climate change strategy whose main objective is to reduce carbon emissions in its operations and in the value chain in line with established goals, reduce the vulnerability of the operation to variability and climate change, and adequately manage risks and identify opportunities in relation to this issue. This strategy takes into account the policies and plans of the Colombian government regarding climate change and increasingly seeks to align itself with the main international standards, such as the recommendations of the Task Force on Climate-related Financial Disclosures (TCFD).

The axes for its implementation are:

- ➔ Mitigation: aims to reduce greenhouse gas emissions (in terms of CO₂e) from the oil and gas value chain through a decarbonization plan established for this purpose, in accordance with the business objectives of growth and sustainable development.
- ➔ The decarbonization plan is structured in four main components: (i) Constant updating of the GHG inventory, (ii) Development and implementation of an emissions reduction portfolio, (iii) Design and implementation of a Nature-Based Solutions compensation portfolio with a focus on climate change, and (iv) Development of the carbon neutrality roadmap.
- ➔ As part of the emissions reduction portfolio, Ecopetrol has been implementing energy efficiency programs and initiatives, gas utilization, reduction of flares, reduction of fugitive emissions and venting, and renewable energy in different operational areas of the company.
- ➔ In order to move towards the decarbonization of the company's operations, work is also being done on structuring a portfolio of compensation alternatives that will be implemented through the following mechanisms: (i) Acquisition of carbon credits; (ii) participation of Ecopetrol in the formulation and development of projects; (iii) development of projects in 1% investment areas

and mandatory environmental compensation, once the obligation ceases and; (iv) projects in biodiversity centers on Ecopetrol's own land.

- ➔ Vulnerability and adaptation: its purpose is to reduce the risks and impacts of the company's operations, associated with variability and climate change: To do so, it identifies the vulnerability of existing and future facilities to natural phenomena and establishes adaptation measures that allow reducing vulnerability in nearby facilities, communities and ecosystems. Regional plans for adaptation to variability (El Niño and La Niña) and climate change are being developed, aimed at reducing the possible impacts that these climatic phenomena may have on infrastructure and operations
- ➔ Technology and research: seeks to influence the reduction of the company's GHG emissions through research and development actions in areas such as: process optimization, energy efficiency, energy diversification through low-carbon technologies such as Carbon Capture, Use and Sequestration (CCUS) and green hydrogen.
- ➔ Participation in climate change policy documents: this axis of the strategy aims to articulate Ecopetrol's actions on climate change with government policies and to adequately manage associated regulatory risks, keeping the company at the forefront of regulatory changes.

Biodiversity

The biodiversity strategy is based on two axes: i) prevention and mitigation of impacts and ii) implementation of nature-based solutions, which allow us to respond to society's challenges such as climate change, biodiversity and water resource management, food security or disaster risk, among others, seeking the sustainability of the territories in which we operate, articulated with the sustainable development objectives.

- ➔ Prevent and mitigate impacts on biodiversity: the objective of this axis is to have updated biodiversity information for decision making and resilience analysis and to incorporate the mitigation hierarchy in the planning and implementation of projects and operations.
- ➔ Implement Nature-Based Solutions: aims to implement landscape-scale interventions in priority areas and conserve biodiversity and its ecosystem services.

Circular economy

The circular economy model for the Ecopetrol Group was structured aligning with the National Circular Economy Strategy, which was declared by the Ministry of Environment and Sustainable Development in 2019. This strategy defined the concept of circular economy as "Production and consumption systems that promote efficiency in the use of materials, water and energy, taking into account the resilience of ecosystems, the circular use of material flows through the implementation of technological innovation, partnerships and collaborations between actors, and the promotion of business models that respond to the fundamentals of sustainable development."

- ➔ In this sense, the main objective of the circular economy model is to incorporate this concept into management processes to promote economic growth, improve competitiveness and mitigate risks related to the environment and the volatility of raw material prices in the medium term. This will be achieved through five components: i) Efficient use of resources and new businesses, ii) Improvement and development of products and services, iii) Standards and public policies, iv) Management of the territory towards circularity, and v) Culture.
- ➔ In 2020, it was possible to consolidate the Portfolio of Circular Initiatives composed of 333 initiatives, 230 from Ecopetrol S.A., 97 from companies of the Business Group and 6 from industrial symbiosis.

They obtained the 'Significant Experience in Environmental and Social Management in the Mining and Energy Sector' award for the Wildlife Project, which they have together with the Wildlife Conservation Society (WCS), Fondo Acción and Fundación Santo Domingo. The award was granted by the Ministry of Mines and Energy, the National Hydrocarbons Agency and the National Mining Agency for the conservation of 15 wild species in Magdalena Medio, Orinoquia and Putumayo.

[Compensation and 1% investments](#): it is important to mention that according to the company's website, as of December 31, 2020 Ecopetrol S.A. had 1,383 obligations. The largest volume of obligations is derived from the forced investment of 1%, followed by permits for forest exploitation before the regional environmental authorities, in third place compensation for change of land use and in fourth place, compensation for water concessions.

The departments with the highest number of obligations are Casanare, Meta, Norte de Santander and Santander. Of the 1,383 obligations, 569 are closed, 330 are in the process of closing, 238 are in contracting, 99 are in execution, 61 are in suspension (the activity that would generate the obligation has not started), 37 are in approval by the environmental authorities, 36 are in consultation with stakeholders and 13 are in formulation.

[La W radio](#): Ecopetrol committed to achieve zero net carbon emissions by 2050: the state-owned company's commitment is part of its energy transition and climate change mitigation goals (2021).

Government

[Integral Ethics and Transparency Policy](#): *"We frame our actions in ethics and transparency; therefore, we have zero tolerance for the occurrence of acts constituting fraud, corruption, bribery, money laundering, financing of terrorism and violations to the FCPA, complying with national and international laws that are applicable to us".*

[Anticorruption strategy](#)

Conclusion

Is the private sector entity's commitment to ESG appropriate **in relation** to its exposure to risks? In principle, most answers would be expected to be positive for multinationals. For smaller and domestically oriented private sector entities more flexibility can be applied.

Yes

39 Continue risk assessment.

No or not known / exception

40 Explain in the comment box below why you believe that the private sector entity is willing and able to address significant gaps.

41 Continue risk assessment.

No or not known

42 Refrain from engaging.

Comments:

3 c) Partnership Risks

UNDP must maintain impartiality and accountability to all of its private and public stakeholders. UNDP's engagement with the private sector must therefore allow UNDP to remain unbiased, while supporting its overall goals and objectives. Similarly, the agreed partnership must not in any way compromise the integrity and independence of UNDP or that of the parties involved.

Evaluate market risks and select applicable statements below:

Impartiality

UNDP will not – and will not be perceived to – give any unfair advantage to one or more businesses within an industry, sector or market, neither is it perceived to have endorsed a particular business, product or service.

Correct

Incorrect

Not known

No market distortion

The partnership will not have negative unintended consequences by distorting a market by giving one business or group of businesses an unfair advantage and/or by crowding out other economic actors.

Correct

Incorrect

Not known

Non-exclusivity

UNDP will not enter in an exclusive relationship with a private sector entity that would exclude UNDP from working with another private sector entity from the same sector.

Correct

Incorrect

Not known

Reasonable benefit

Correct

Incorrect

Not known

The benefit to the private sector entity from the collaboration will not be disproportionately high compared to the public benefits or benefits to UNDP.		
Non-dependency in procurement / No conflict of interest The private sector entity has been informed that partnering with UNDP will not provide preferential treatment in procurement process.	<input checked="" type="checkbox"/> Correct	<input type="checkbox"/> Incorrect <input type="checkbox"/> Not known
Political Risks¹⁸³ It is unlikely that any potential political risks would arise during the partnership.	<input checked="" type="checkbox"/> Correct	<input type="checkbox"/> Incorrect <input type="checkbox"/> Not known
Comments: Todas las partes tienen claro el alcance y objetivo de esta alianza		

3 d) Partnership Benefits

The balance between expected risks and expected benefits must be in line with the risk tolerance of UNDP. UNDP may generally be willing to bear higher risks if the benefits of the partnership clearly outweigh the risks.

Select applicable statements below:

There are significant potential gains in terms of achieving one or more of UNDP's strategic priorities within the UNDP Strategic Plan and Private Sector Strategy.	<input checked="" type="checkbox"/> Correct	<input type="checkbox"/> Incorrect <input type="checkbox"/> Not known
The private sector entity is among the most suitable partners available in the country context.	<input checked="" type="checkbox"/> Correct	<input type="checkbox"/> Incorrect <input type="checkbox"/> Not known
There is considerable potential for long-term engagement with the private sector entity, in which resources are contributed on a significant scale, and there may be a significant outcome in terms of human development.	<input checked="" type="checkbox"/> Correct	<input type="checkbox"/> Incorrect <input type="checkbox"/> Not known
The partnership is likely to create immediate results in the well-being of communities that are facing high rates of poverty and a low human development.	<input checked="" type="checkbox"/> Correct	<input type="checkbox"/> Incorrect <input type="checkbox"/> Not known
The partnership will create wider awareness of, and support for, UNDP and its causes from positive exposure and publicity surrounding the collaboration.	<input checked="" type="checkbox"/> Correct <input type="checkbox"/> Not relevant	<input type="checkbox"/> Incorrect <input type="checkbox"/> Not known

¹⁸³ Political risks include the consequences and likelihood of changes in government. Special attention should be given to countries under United Nations sanctions. Political risks also include the risk of having the government withdraw support for the partnership or UNDP engaging in close partnership with an actor that is seen as business arm of the political elite.

The partnership allows access to new innovations for development.	<input checked="" type="checkbox"/> Correct <input type="checkbox"/> Not relevant	<input type="checkbox"/> Incorrect <input type="checkbox"/> Not known
Other (specify):	<input type="checkbox"/> Correct	<input type="checkbox"/> Incorrect <input type="checkbox"/> Not known
<p>Comments:</p> <p>All parties are clear about the scope and objective of this alliance, which seeks to join efforts for territorial revitalization, economic reactivation and the strengthening of social capital through the improvement or construction of small and medium-sized community infrastructure with local social organizations in ECOPETROL's areas of influence, in order to generate safe, prosperous and environmentally sustainable environments for the benefit of the territories and their communities.</p>		

Conclusion		
<p><input checked="" type="checkbox"/> ● All “Correct” boxes ticked under Market risks and Political risks.</p> <p>The risk-benefit analysis indicates that the partnership is worth pursuing.</p> <p>43Go to step 4 “Make a decision”.</p>	<p><input type="checkbox"/> ● One or more “Incorrect” or “Not known” boxes ticked under step Market risks and Political risks, but they are clearly outweighed by the “Yes” boxes ticked under step Benefits.</p> <p>The risk-benefit analysis indicates that the partnership is worth pursuing.</p> <p>44Record your reasoning in the comment box below.</p> <p>45Go to step 4 “Make a decision”.</p>	<p><input type="checkbox"/> ● One or more “Incorrect” or “Not known” boxes ticked under step Market risks and Political risks and they are <i>not</i> sufficiently outweighed by benefits.</p> <p>46Refrain from engaging.</p>

Comments:

This alliance will be positive for all parties involved as it seeks to:




Contribute to social cohesion and community participation in the territories in the areas of influence of Empresa Colombiana de Petróleos (Ecopetrol), through:

1. Contributing to territorial development through the execution of road and social infrastructure works, which promote articulation between the community and the most relevant local actors (OBS, JAC, local administrations, cooperation agencies and public-private companies) 2.
2. Promote processes of trust recovery and strengthening of social capital, through community management and construction of infrastructure works for the stabilization of the territories.
3. Improve the living conditions of vulnerable populations through the generation of decent employment, through the construction of infrastructure projects and organizational and community strengthening that contribute to the social and economic development of the region.

Step 4: Make a Decision

Based on the information collected in this template, make a suggestion as to whether or not UNDP should engage in the partnership. Some partnerships may be considered worth pursuing given certain conditions. These conditions should be defined at this stage and should be communicated to and accepted by the private sector entity. Use the box below to set out your proposal as to whether or not UNDP should engage in the partnership, including the conditions, if applicable. Remember that it is essential that there is separation between the staff who are directly involved in developing the relationship and making a recommendation as to whether or not to proceed, and the staff who make the final decision.

Suggested decision by the initiating unit

- If all : approve without or with conditions (see below).
- If one or more : escalate the Risk Assessment Tool, including your conclusions, to HQ.
- If one or more : refrain from engaging.

Rationale for the decision:

For more than 10 years Eco petrol has been a fundamental ally for UNDP in the implementation of development initiatives mainly in the company's territories of operation. Currently, both the area of democratic governance and the area of poverty and inequalities are implementing initiatives at local and national level with the company.

The company has established mechanisms, procedures, and norms through which it has generated employment that seeks to positively impact the population and improve their living conditions. Likewise, the company seeks to contribute to the economic and social development of the communities and the country.

The company has expressed its commitment to the adoption and implementation of the work to be done, which means being willing to generate changes and transformations that positively impact the territories where they operate. In this sense, it is reasonable to be part of the construction of territories where the local economy is reactivated and capacities in the territories are strengthened. Both the company and UNDP have clear objectives and actions that will be developed during its execution to achieve social cohesion and community participation.

The benefits can also be extended to spaces and strategies that make visible the impact within the company and its contribution to economic and social development, especially in this sector.

Conditions: All parties are clear about the scope and objective of this alliance.

For cases that do not require escalation: decision by the RC/RR for COs, or the Regional Director for Regional Bureaus, or designated persons with the proper authority (please specify).

Approve **without** or **with conditions (see below).**

Refrain from engaging.

Person designated to make the decision:

Rationale for the decision:

Conditions: Todas las partes tienen claro el alcance y objetivo de esta alianza

In escalated cases, decision by HQ

Approve **without** or **with conditions (see below).**

Refrain from engaging.

Rationale for the decision: [Rationale]

Conditions: [Conditions]

Step 5: Risk Log, Monitoring Plan and Communication Materials

The Project Manager should also document the risks that have been identified into a risk log (sample [here](#)). If the partnership is part of a project that already has a risk log, these risks can be added into the existing mechanism. In low-risk and short term partnerships the project manager may decide that risk log is not needed.

Has a risk log been done?	
<input checked="" type="checkbox"/> Yes 47 Attach the risk log to this document or explain in the comment box below where it can be found.	<input type="checkbox"/> No 48 Explain in the comment box below why a risk log has not been done.
Comments: <i>*If needed include: Description, Type, Impact & Probability, Countermeasures, Last update, Status, Unit Responsible*</i>	

The Project Manager should regularly scan publicly available information and informal intelligence systems for new controversies surrounding the private sector entity or its industry. Any significant issues that might cause potential damage should be flagged to HQ, and should be recorded in the [Private Sector Due Diligence Database](#). Similarly, the Project Manager should regularly assess whether or not the private sector entity is meeting the conditions (if any) defined in step 4 above. Especially if there are specific conditions set for the partnership it is recommended to prepare a monitoring plan.

The Project Manager can be supported in the monitoring activities by the Regional Bureau or HQ, especially in difficult cases.

Has a monitoring plan been defined?	
<input checked="" type="checkbox"/> Yes 49 Attach the monitoring plan to this document or explain in the comment box below where it can be found.	<input type="checkbox"/> No 50 Explain in the comment box below why a monitoring plan has not been defined.
Comments: This document constitutes an analysis prior to the implementation of a project with ECOPETROL as a potential partner to work on territorial dynamization, economic reactivation and the strengthening of social capital, through the improvement or construction of small and medium-sized community	

infrastructure with local social organizations in ECOPETROL's areas of influence, to generate safe, prosperous and environmentally sustainable environments for the benefit of the territories and their communities.

The project will also implement a strategy to monitor the activity carried out by UNDP within the framework, purposes, principles and values of the organization. A preventive and reactive communication strategy will be designed in case it is necessary to activate it in case of actions that could impact the reputation and image of UNDP due to the development of the projects. The project team at all levels will continuously monitor the media and various sources at the local, regional and national levels to identify early warnings or threats to the organization's image and reputation. In cases where inconsistencies or news of public attention negatively affect the company's performance in relation to the project, the case will be submitted to the Representation for evaluation.

The Project Manager is in charge of drawing up the needed communications materials that cover the basic details about the partnership and possibly address the main risks identified during the risk assessment process. For partnerships that do not involve significant risks, the Project Manager may decide that there is no need for communications materials.

Have the needed communications materials been drawn up?	
<input type="checkbox"/> Yes 51 Attach the communications materials to this document or explain in the comment box below where they can be found.	<input checked="" type="checkbox"/> No 52 Explain in the comment box below why communications materials have not been drawn up.
Comments: The project plans to have the support of the UNDP Communications Office, through the professional of the Poverty and Inequality Reduction Area, who will lead the design of the communications plan, as well as the communication pieces and tools that will be defined. This process has been discussed with the company, and will be articulated with Ecopetrol's communications office, in order to have a coherent message that respects UNDP's processes and standards.	