
	Guide on ethnic community relations		
	Social Setting Management Sustainable Development Vice Presidency		
	GDE-G-006i	Prepared 06/12/2021	Version: 3

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1. OBJECTIVE

Establish relationship guidelines with ethnic communities settled in Ecopetrol S.A.'s areas of interest, within the framework of current legal regulations and business best practices, with the objective of aligning the viability and sustainability of activities, projects, and operations, with ethnic communities' social, political, economic and cultural dynamics.

2. IMPLEMENTATION

2.1 SCOPE

This document seeks to guide the social setting management with communities of ethnic groups and to generate guidelines to guide the social setting plans and specific actions that are required to be implemented for the entry into a territory and its permanence.

- a) Provide information about the legal framework to be considered when building relationships with ethnic communities in Colombia.
- b) Define the guidelines for the inclusion of the differentiated ethnic approach in the preparation of the Social Setting Management Strategy, Social Setting Plans, and Regulatory Compliance.
- c) Guide the socio-environmental investment, relationships and obligations in ethnic territories and the formulation of the projects that are carried out within the context of work with territorial entities.
- d) Define the roles and participation of the social setting regional teams in the development of prior consultation processes in the regions.

This guide applies to all departments of Ecopetrol S.A. that establish direct relations with ethnic communities and for those whose processes involve them, such as social investment and contracting. Similarly, for allies and contractors whose operations have an impact on their territories.


2.2 INTRODUCTION

Through Article 7 of the 1991 Constitution, Colombia recognized the ethnic and cultural diversity of the nation and assumed commitments for its protection. This has allowed the self-recognition of a person as a member of an ethnic group, and the recognition of the ethnic community to which the person belongs, to be as the starting point for the application of the legal framework (See Annex 1. Regulatory Framework for the protection of the rights of ethnic communities). Described below are the three main aspects on which the rights of ethnic groups are based and, consequently, current regulations:

2.2.1 Autonomy:

Ethnic communities, as political subjects, whose permanent presence in the territories, the exercise of their own governance and identity expressed in their traditions and customs, give them the power to govern themselves under their customary law. In this regard, Article 246 of the 1991 Constitution created the Special Indigenous Jurisdiction, which grants the ability to legislate in their territories and to be judged, within the framework of due process, under their own jurisdiction when crimes are committed within the community.

For their part, Black Afro-Colombian, Raizales, and Palenqueras communities (NARP for its acronym in Spanish) and Romani or Gypsy people, also have their own mechanisms for regulating

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and resolving conflicts according to their traditions and customs, whose recognition in the normative framework guarantees them the right to their application.

2.2.2 Territory:

Recognition of the close relationship between the cultural survival of ethnic communities and the occupancy of the territory where they have traditionally been settled and where they carry out their social, economic, and cultural activities, has supported the promotion of multiple rules aimed at protecting this relationship. Currently, legal recognition of their territories occur through the creation of indigenous reservations and collective territories for black communities. Similarly, ILO Convention 169 went further in the sense of recognizing the relationship of ethnic groups with those territories that have been traditionally occupied or where they carry out cultural practices according to their uses and customs, even if ethnic communities do not have legally formalized property rights over the territories.

2.2.3 Participation:


The right to participate is assured for ethnic communities through a differentiated approach, in the application of the processes of Prior Consultation and in the occupation of popularly elected positions in the legislative bodies. The Prior Consultation is a space for agreement where the communities, in the presence of their representative authorities, have the opportunity to learn and understand the projects, works, or activities that are to be carried out in their territories, as well as their phases, concrete actions and the changes (or impacts) that could be done in their communities. In the same way, it could be a space for the agreement of administrative or legislative acts that directly affect them. Based on this information, the community can evaluate the potential impacts and participate in the formulation of measures for their management. They can also propose prevention, mitigation, and compensation measures considering their knowledge of the social setting, their concept of development, and their priorities regarding the future of the community. The GDE-P-008 Procedure for carrying out prior consultations describes this process and how it should be applied to projects of Ecopetrol S.A.

2.3 LEGAL FRAMEWORK FOR ETHNIC COMMUNITIES

2.3.1 Institutional structure of government entities regarding ethnic groups

The Ministry of Interior (or whichever entity takes its place) is responsible for coordinating the institutions in charge of the development and application of public policies for ethnic communities. However, each of these institutions must develop a differentiated approach to their policies. The functions of the Ministry of Interior, through its departments, include:

- Carrying out ethnological studies to determine the ethnic nature of a community.
- Keeping the registry of the legal representatives of the Indigenous Councils, the Reservations and Associations and of the legal representatives of the Community Councils and Associations relating to black communities.
- Supporting conflict settlement.
- Training communities and officials from relevant institutions.
- Issuing a resolution to proceed with prior consultation with ethnic communities, by direct request of the interested party, in accordance with the Presidential Directive of September 8 to 9, 2020.
- Carrying out visits to verify the presence of ethnic communities.
- Coordinating prior consultation opportunities, by direct request of the interested party.
- Attending Human Rights issues.

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For its part, the National Land Agency (ANT for its acronym in Spanish), an entity attached to the Ministry of Agriculture and Rural Development, is responsible for liaising with the black Afro-Colombian, Raizales, Palenqueras, and indigenous communities, through its representative bodies, regarding programs for collective titling, establishment, expansion, sanitation, the restructuring of indigenous reservations, and the purchase and expropriation of land and improvements to provide land for ethnic communities.

2.3.2 Regulatory Framework

Annex 1 to this document sets out the **Regulatory Framework for the protection of the rights of ethnic communities**. When it is necessary to participate in consultation or negotiation with ethnic communities, the content of these regulations must be thoroughly reviewed. Generally, ethnic communities are aware of the regulations that protect them and have access to specialized advice through their organizations.

2.4 GUIDELINES FOR THE INCLUSION OF THE DIFFERENTIATED ETHNIC APPROACH IN THE ELABORATION OF THE SOCIAL SETTING STRATEGY AND SOCIAL SETTING PLANS

Included below are the guidelines that should be considered to ensure the inclusion of the ethnic differential approach in the diagnoses, planning, implementation, and monitoring of the social setting plans of the regional departments of Ecopetrol S.A., necessary for the development of activities of allies and contractors.


Equally, it is important to consider that the relationship between Ecopetrol S.A., its allies and contractors, and ethnic communities must not violate the rights of non-ethnic populations.

2.4.1 Characterization of ethnic communities

The identification and characterization of ethnic communities is the first step in understanding the social, spiritual, cultural, economic, and political dynamics and visions of these communities, and their way of relating to each other. As part of the Territorial Assessment (See GDE-G-002 Guide on the preparation of Regional Territorial Assessments in the framework of the Social Settings Management Process), spatial bounding serves as a basis for establishing the presence of ethnic communities and, in turn, for defining the Social Setting Plans (See GDE-G-003 Guide on the preparation of the territorial social settings strategy and social settings plans), which include relationship activities.

The objective of the characterization is to understand the community, to be able to do an analysis of this stakeholder as a social and political actor in the territory, to identify their expectations and needs, among other aspects. **Annex 2. Guiding questions for an initial characterization of ethnic communities** is a document containing a form with guiding questions on the most relevant aspects about communities. These questions can be asked in informal, two-way forums, where common interests and differences can be identified. They must be led by Social Setting Professionals.

To ensure the identification of all the communities of ethnic groups and their organizations present in the territories, each regional department shall establish an annual session with the municipal mayor's offices of the municipalities where the operation and project activities are prioritized, in which information is updated about the registered communities of ethnic groups. To this end, the following forms must be completed: GDE-F-158 Monitoring of the record of ethnic communities in the mayor's office and GDE-F-

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159 Database of ethnic communities by the municipality. In cases where it is not possible to have an in-person meeting with the Mayor's Office, a written request must be made.

It is reiterated that the purpose of gathering information in the municipalities is to ensure the planning of the social setting, not to initiate a prior consultation, since the definition of the provenance of these processes is the responsibility of the Ministry of the Interior and its departments. It should be remembered that prior consultation is required in specific cases in which new projects or operations are developed, or existing ones are significantly modified, and their execution must be the result of certification of the provenance of prior consultation issued by the respective Authority (See GDE-P-008 Procedure for Conduction of Prior Consultation).

Based on the report from the mayor's offices, the following types of organizations and/or communities can be found:

1. Cabildo indígena (Indigenous Council)
2. Indigenous Reservation (Titled lands)
3. Indigenous grassroots organization
4. Community Council of Black, Afro-Colombian or Palenquero communities.
5. Grassroots organization of black communities
6. Rom or Gypsy community


The information collected should be used to define whether the communities reported by the Mayors Offices:

1. Could be subject to prior consultation in case of developing a new project or activity. In this case, it would be the indigenous communities, reservations, community councils and the Rom people.
2. If it's necessary to integrate them into the social setting plans with informative activities or voluntary socio-environmental investment. Grassroots organizations are not subject to prior consultation; however, they are actors in the territory that can be strategic at the time of requiring a direct dialogue with a specific community.

Consequently, to define a community relationship plan, the following must be considered:

1. Location in reference to the operations or projects and the level of impact that this situation may generate, compared to the current location of the community.
2. Existence of a prior consultation in progress or soon.
3. Identify the territorial location of the ethnic groups regarding to areas of interest of Ecopetrol. The areas they occupy and the areas they intend to be recognized must be identified.
4. Registration status with the Ministry of the Interior. It is necessary for the community to manage its registration to be able to carry out prior consultation or make specific investments in the community.
5. Other communities in the municipality that are not affected by the activities of the Company should be monitored.

The resulting information should be an input for the construction of relation spaces and the planning of contracts and conventions. In addition, its divulgation to allies and contractors of Ecopetrol S.A. must be ensured. For dialogue with ethnic communities, it is necessary to maintain close contact with regional social setting professionals and have specific guidelines on this matter.

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2.4.2 Guidelines for relations with ethnic communities


2.4.2.1. Interlocutors of ethnic groups

The communities of ethnic groups with which Ecopetrol S.A. relates within the framework of its operations and projects, and with which it must manage its impacts based on the definition of the area of influence, may include:

- a) **Indigenous Communities:** They may belong to different peoples according to the region. They are organized through Cabildos and elect a legal representative, commonly called Governor, Captain Mayor, Curaca, Cacique, among others. They may or may not have legally constituted territory under the figure of Reservation. Within the reservations of La Guajira, each ranchería (or community) has a traditional authority that acts as a legal representative, in the same way as a governor. All authorities must be duly registered with the Ministry of the Interior.
- b) **Black Communities:** They may recognize themselves as black, Afro-Colombian, Raizales or Palenquero peoples. They are organized under the figure of a Community Council and have a legal representative who must be duly registered with the Ministry of the Interior.
- c) **Rom Community:** They are organized in *Kumpanías*. There are leadership figures usually exercised by the elders or a council of elders. They are registered under censuses at the Ministry of the Interior.
- d) **Organizational forms of the ethnic groups:** the communities of ethnic groups may also belong to local, regional and/or national grassroots organizations, which may include Regional Councils, associations of a specific ethnic group, organizations, corporations or other organizational forms that in some cases seek to make cultural aspects visible, or groups within the community such as women, young people, fishermen, knowledgeable people, among others.

2.4.2.2. Relationship and Conflict Management Guidelines:

- The relationship with ethnic groups is responsibility of the regional social environment professionals, as they are another stakeholder in the territory and an important part of the management and attention to the social setting.
- Relations with grassroots organizations must be done with previous agreements with the authorities elected by the community.
- The mandatory actions of Ecopetrol S.A., and its partners and contractors, will be aimed at ethnic communities that are registered by the Ministry of Interior or whoever acts in its place, and that are part of the areas of influence of its operations.
- In cases where it is evident that the communities are not registered with the Ministry of Interior, a written request will be made to the Ministry of Interior to establish their status as an ethnic community.
- Relations with ethnic communities cannot be delegated. Ecopetrol S.A. must assign representatives with the appropriate skills and authority. Additionally, when Ecopetrol S.A.'s allies or contractors develop activities in the territories of ethnic communities, the company may require the hiring of suitable personnel to accompany the processes of dialogue with these communities.
- Social Setting professionals of the regional department must ensure that ethnic communities are included in the stakeholder mapping that is carried out as part of the territorial assessments defined

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by the Social Setting Management Strategy. (See GDE-G-003 Guide on the preparation of the territorial Social Setting Strategy and Social Setting Plans).

- The communities legal representatives must have a certification from the Department of Indigenous, Romani and Minority Affairs or from the Department for Black, Afro-Colombian and Palenque Communities of the Ministry of Interior. The legal representatives are chosen in an assembly as community authorities, and it is through them that communication with the communities must be maintained.
- To involve ethnic organizations¹ in the engagement forums, the consent of these communities must be obtained.
- Each Regional Social Setting Department must agree on an engagement and communications agenda with the ethnic community authorities present in their areas of influence, in order to build, within the framework of intercultural dialogue², a common language that makes it possible to express different visions for the Social Settings.
- Ecopetrol S.A. its allies and contractors must address in a timely manner the complaints, suggestions, doubts, and concerns received from the authorities or leaders of the ethnic communities, considering the conditions related to location, connectivity and use of Spanish and writing for their receipt, handling and response.
- The Physical Security Management Team must ensure that agreements with the security forces are respectful of the rights of ethnic communities.
- For all contracts and conventions that are implemented in areas where the presence of ethnic communities has been identified, it is mandatory to include this Guide (GDE-G-006 Guide on ethnic community relations) and its Annexes 1 and 3 (Regulatory framework for the protection of the rights of ethnic communities and Guidelines for coexistence with ethnic communities). The Guidelines for coexistence annex include a commitment to comply with the code of conduct for contractor employees.
- When activities or operations are carried out in territories with the presence of ethnic communities, Ecopetrol S.A. employees, contractors and allies are committed to know and disclose the guidelines of this guide, its annexes, as well as the existing ethnic relationship manuals in the regions, seeking the best strategies for its implementation and transmission to all personnel involved in the work, for example, in the case of contractors, through their HSE talks.
- If a contractor is contacted by an ethnic group previously not identified or not reported in the Social Setting Management Plan, he/she must inform the social setting professional who will perform an initial verification, according to Annex 2 of this guide (GDE-G-006 Annex 2 Guiding questions for an initial characterization of ethnic communities), and will follow the guidelines set out in Annex 3 (GDE-G-006 Annex 3 Guidelines for coexistence with ethnic communities). Depending on the results of the characterization, the social setting professional should refer to the environmental viability professional to coordinate the strategy for relations with this ethnic group.

To prevent and manage conflicts, Annex 3 (GDE-G-006 Annex 3 Guidelines for coexistence with ethnic communities) shall be applied by all Ecopetrol employees and shall be included as an annex to contracts. Contractors must deliver the support in which it is stated that the worker or contractor has received, read, and understood the guidelines contained in the Annex and voluntarily expresses that he/she is willing to comply with them.

¹ Organizations comprising different ethnic communities in a territory, whether regional (second level) or national (third level). For example, the Putumayo Indigenous Zonal Organization (OZID) and National Organization of Colombian Indigenous Peoples (Third level).

² Intercultural dialogue is characterized by generating a forum for communication with stakeholders representing differentiated cultural approaches around issues of common interest, based on the recognition and respect for differences.

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Community leaders must be informed of the mechanisms for handling suggestions, doubts, and concerns about the company's activities, considering the principle of bilingualism and intercultural communication. On the other hand, workers and contractors of the project or operation must inform their respective supervisors or leaders about any conflict that may arise between them and the communities, to process it with the support of Ecopetrol S.A.'s social setting staff.

2.5 GUIDELINES FOR THE INCLUSION OF THE ETHNIC DIFFERENTIAL APPROACH IN THE CONTRACTING OF LABOR AND GOODS AND SERVICES

2.5.1 Guidelines for hiring members of ethnic communities as workforce.

The recruitment of members of ethnic communities as workforce is based on the respect for the right to not be discriminated against on account of their ethnicity, in matters of employment. It must be based on the provisions of ILO Convention 169 on this matter, where Article 20 establishes the following:


"Governments shall, within the framework of national laws and regulations, and in co-operation with the peoples concerned, adopt special measures to ensure the effective protection with regard to recruitment and conditions of employment of workers belonging to these peoples, to the extent that they are not effectively protected by laws applicable to workers in general."

Even though the Government is responsible for defining an employment policy for ethnic communities, Ecopetrol S.A, its allies and contractors must guarantee the following in accordance with ILO Convention 169:

- Avoid any form of negative discrimination
- Ensure equal access to employment, including skilled employment and promotion mechanisms
- Equal remuneration for work of equal value
- Medical and social assistance, occupational health and safety, all social security benefits, and other employment-related benefits
- Equal opportunities and treatment for men and women in employment, and protection against sexual harassment
- In any event, members of ethnic communities must prove their membership to the communities in the area of influence.

In accordance with the above, it is imperative to consider the following:

- When the activities of contractors and allies of Ecopetrol S.A. are developed in identified ethnic territories, they must ensure equal opportunities in the participation and access to vacancies and jobs for these communities. That is, to have the necessary strategies for divulgence and application, bearing in mind the conditions of this social group: location, connectivity, access to employment platforms, language, among others.
- Mechanisms to facilitate intercultural coexistence will be considered in contracts, in such a way that the interests of Ecopetrol S.A., its contractors, and ethnic communities are not affected.
- When a member of the ethnic community is hired, the contractor must consider their "cultural conditions", this may include, among others, permission to be temporarily absent during special dates -funeral or other rituals, harmonization's, commemorations, etc.-, in coordination with the shift supervisor.

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- For cases in which the community's mother tongue is not Spanish and it is deemed necessary to ensure understanding of the contractual terms, an interpreter must be hired to translate the content of the employment contracts and labor inductions of indigenous workers.
- When there is a formal agreement on special hiring of ethnic labor, as part of a prior consultation, for example, the contractor must abide by this agreement.

2.5.2 Guidelines for the inclusion of ethnic communities in the procurement of goods and services

- Ecopetrol S.A. must provide the opportunity to procure goods and services from ethnic communities, aligned with the standards of fair competition, quality, price, and opportunity, in accordance with the needs of the project or operation.
- Ecopetrol S.A. may procure services (from indigenous communities) such as the spiritual harmonization of the territory by traditional authorities, traditional medicine services for members of the ethnic community, guides who have expert knowledge of the territory, translators of the local language, the supply of certain types of food or water, special transportation in their territory, accommodation, logistics for certain activities, support from the indigenous guard, training on the culture of the ethnic community, among others.

2.6 GUIDELINES FOR SOCIAL INVESTMENT AND COMPLIANCE WITH SOCIO-ENVIRONMENTAL OBLIGATIONS WITH A DIFFERENTIAL APPROACH


This section establishes guidelines to ensure the inclusion of the differentiated ethnic approach in the formulation of social investment projects (including projects derived from prior consultation agreements), defined in the Social Setting Management Process (GDE for its acronym in Spanish), as well as the environmental management projects defined in the HSE Management System, with regard to the management of territorial entities with the presence of ethnic communities, seeking coherence with their ethno-development plans and the effective participation of the communities.

In this manner, Ecopetrol S.A. seeks to guide social investment with a differential approach for the benefit of ethnic groups to contribute to their integral development, through plans, programs and projects that are culturally, socially, and environmentally sustainable, that respond to their own development priorities, respecting their autonomy and self-determination, generating shared value that contributes to the prosperity of the communities and the Company.

Thus, for the planning and development of these projects, it is necessary to:

Social investment projects or projects for environmental management:

- Have a characterization of the ethnic population, considering the object and scope of the project and its level of impact on the community.
- When projects are carried out in municipalities with a representative or majority ethnic population, the inclusion of the differentiated approach must be ensured and translation into their language must be considered. (If applicable).
- There must be evidence that demonstrates the community's consent to the project, its form of implementation and its collective benefit, as well as the specific way it will participate.
- The legality of the legal representative must be ensured.
- Protocols or regulations must be signed that help the proper implementation of the projects, which include mechanisms for decision-making, governance, and conflict resolution.

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- For socio-environmental investment projects involving ethnic communities, the Ethnic Affairs team of the Regional Social Setting Management (GOG for its acronym in Spanish), or whoever acts in its stead, must accompany, and approve the project.
- For allies and contractors of Ecopetrol S.A. that choose to make voluntary socio-environmental investments, they must consider the regional socio-environmental investment portfolio of the Social Prosperity Management of Ecopetrol S.A., as well as the Regional Social Setting Plans, with the objective that these investments are aligned with the company's regional strategies and the project formulation criteria of section 2.5.1. of this guide.


Projects derived from a Prior Consultation:

- Prior consultation agreements are management measures that must be applied during the development of the exploration, production or transportation project consulted, and once these agreements have been reached, they must be included in the environmental management plan of the project. Based on these management measures and maintaining their objective of addressing the impacts of the project, they must be formulated as projects and/or initiatives to be implemented during the development of the project.
- The responsibility for the implementation of the prior consultation agreements lies on the social setting regional team, following the guidelines of the environmental instruments. Similarly, Social Setting Management must coordinate actions with the project executor and integrate the prior consultation agreements into the regional portfolios for their formulation.
- From the regional social setting team, the resources, and the schedule for the implementation of the agreements must be coordinated with the person responsible for the execution of the project, in accordance with the development of the project.
- It is required to consider the conditions established in the records of protocolization regarding specific amounts and quantities.
- The baseline constructed in the framework of the prior consultation must be considered, to identify the characteristics of the community in which the project is going to be implemented.
- Before contracting the execution of the consultation agreement projects, a meeting must be carried out with the ethnic community to inform the formulation process and receive their recommendations, solve concerns, and ensure that, within the framework of intercultural communication, it complies with the community's expectations and what has been agreed upon.
- The evaluation of potential executors of prior consultation projects should consider specific experience in relating with ethnic groups. It is recommended that an informative meeting is carried out to show the step-by-step selection process, the criteria to be evaluated and the way to qualify the potential executors, to avoid that the communities do not allow them to enter their communities afterwards, for not considering it suitable.
- All supports on the progress of compliance with the prior consultation agreements must be available to carry out the monitoring meetings of the prior consultation and its subsequent closure.

2.6.1 Criteria for the formulation of social investment or environmental management projects with a differentiated ethnic approach

Projects for socio-environmental investment with a differentiated ethnic approach can:

- Contribute to the creation of communities ethno-development plans: For black communities, Integral Life Plans and Safeguard Plans for indigenous communities.

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- Carry out activities that contribute to achieving the objectives of the Ethno-development Plans, or, in their absence, that are in harmony with their traditional customs.
- Projects should strengthen the identities of ethnic communities, through aspects such as:
 - Their languages
 - Their forms of governance and their right to execute their own law and special jurisdiction
 - Traditional practices relating to economic, social, and cultural development
 - Ownership and collective use of their territories
 - Ethno-education.
 - Traditional medicine and intellectual property rights over ancestral knowledge.
- When projects require or generate new knowledge and / or technologies, it must be made explicit in the project that the community understands and assumes the changes that this may generate to their cultural practices.

In general, the relationship between Ecopetrol S.A., its allies and contractors, and ethnic communities should not violate the rights of non-ethnic populations.

For the preparation of socio-environmental investment projects involving ethnic communities, the **GDE-F-173** Checklist for Ethnic Projects must be considered.

2.6.2 Execution of projects with ethnic communities

When a socio-environmental investment project is carried out with ethnic communities, it will be done within the framework of the socio-environmental investment Portfolios of the Social Prosperity Management and the Regional Social Setting Plans (See GDE-G-003 Guide on the preparation of the territorial social environment strategy and social setting plans) and could be operationalized through cooperation agreements or contracts. However, the selection of the operator should consider their knowledge of the ethnic community and their ability to achieve an intercultural relationship that allows the development of activities, respecting their authorities and their times and ways of life.


2.7 PARTICIPATION OF REGIONAL SOCIAL SETTING TEAMS IN THE DEVELOPMENT OF PRIOR CONSULTATIONS

The official guiding document for the development of Prior Consultation processes in Ecopetrol S.A., is the GDE-P-008 Procedure for Conduction of Prior Consultation, which should be referred to once it is identified that a new project or modification of the existing operation may have a direct impact on ethnic communities and, therefore, a prior consultation is required.

Even though prior consultation is a process related to the development of environmental studies, it is part of the social component of the environmental studies that must be accompanied by the social setting professionals of the regions. In this regard, and in accordance with the procedure, they must participate in the different prior consultation meetings and facilitate their development, considering their role in social setting management.

The following are the activities and moments of the prior consultation that must be ensured by the regional social setting professionals:

- **Consultative process planning meetings:** To generate actions that articulate environmental and social setting strategies for the viability of the projects, social setting professionals must participate in the planning meetings of the environmental studies with prior consultation.

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- **Relations with communities of ethnic groups:** The relation with the surrounding communities is responsibility of the regional social setting professionals. Thus, it is necessary that before initiating prior consultation activities, the environmental study team (which includes the prior consultation activity) coordinates with them to gain knowledge of the dynamics of the territory, the risks, and the identification of stakeholders. Similarly, it is of great relevance that they accompany the approach meetings, especially when the prior consultation is carried out in operational areas.
- **Relations with local authorities:** The National Authority for Prior Consultation convenes local authorities and regional and local control bodies to participate in the processes, hence it is necessary that the social setting regional teams lead this relationship, considering their role in the region.
- **Participation in the definition of impacts and management measures during the prior consultation process:** Once the prior consultation has started, the identification of possible impacts and the formulation of management measures requires knowledge of the dynamics of the region or of other initiatives that are already being carried out to mitigate impacts at the regional level, thus it is necessary to coordinate with social environment professionals in this activity.
- **Participation in the definition of compensation agreement strategies:** The compensation strategy depends on the characteristics of the impacts and the economic balances of the project. To build a compensation strategy that is in line with the criteria that are managed at the regional level and integrated into the portfolio of investment projects, it is necessary to have the participation of the social setting professionals of the regions.
- Participation in analysis and risk spaces of the prior consultation process to contribute from the vision of the region and identify early warnings.
- Compliance with agreements derived from prior consultation is the responsibility of the regional social setting professionals, which are executed with resources from the project or operation, as established in section 2.6 of this document.

3. CONTINGENCIES


The existence of operations that were in progress prior to the enactment of Law 21 of 1991 does not exempt Ecopetrol S.A. from the application of this guide, or from the carrying out of prior consultations that may be ordered by the judicial authority.

LIST OF VERSIONS

Previous Document			
Version	Date dd / mm / yyyy	Document Code and Title	Changes
1	15/02/2012	ECP-DHS-P-037 Carrying out intercultural dialogue	Preparation of document
1	15/02/2012	ECP-DHS-P-036 Characterization of ethnic communities	Preparation of document
1	15/02/2012	ECP-DHS-I-047 Intercultural guidelines for ethnic community relations	Preparation of document

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1	15/02/2012	ECP-DHS-G-031 General guide for managing ethnic communities	Preparation of document
1	15/02/2012	ECP-DHS-F-309 Checklist for the characterization of indigenous communities	Preparation of document
1	21/01/2012	ECP-DHS-F-290 General characterization of ethnic communities	Preparation of document
1	15/02/2012	ECP- DHS-F-333 Checklist for tripartite cultural dialogue	Preparation of document
1	15/02/2012	ECP-DHS-F-334 Causes of conflicts between ethnic communities and entities	Preparation of document
1	15/02/2012	ECP-DHS -F-335 Strategies for conflict management and settlement	Preparation of document
1	15/02/2012	ECP-DHS-F-336 Standing intercultural forum for the hydrocarbon sector	Preparation of document
1	27/02/2018	GDE-G-006 Guide on ethnic community relations	Updates ECP-DHS-P-037 Carrying out intercultural dialogues, to ensure alignment with the social environment management process and repeals ECP-DHS-P-036 Characterization of ethnic communities, ECP-DHS-I-047 Intercultural guidelines for ethnic community relations, ECP-DHS- G-031 General guide for managing ethnic groups, ECP-DHS-F-309 Checklist for characterization of indigenous communities, ECP-DHS-F-290 General characterization of ethnic communities, ECP-DHS-F-333 Checklist for tripartite cultural dialogue, ECP-DHS-F-334 Causes of conflicts between ethnic communities and entities, ECP-DHS-F-335 Strategies for conflict management and settlement, ECP-DHS-F-336 Standing intercultural forum for the hydrocarbon sector.
2	15/04/2020	GDE-G-006 Guide on ethnic community relations	Section 2.4.1 Characterization of ethnic communities is adjusted, which incorporates an additional action to establish relations with municipal municipalities to update


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			<p>information on ethnic communities registered with each Mayor's Office</p> <p>Forms GDE-F-158 Monitoring of the record of ethnic communities and GDE-F-159 Database of ethnic communities by municipality, are included.</p>
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New Document			
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Version	Date dd / mm / yyyy	Changes	
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3	06/12/2021	<p>Adjustment to numeral 2.1 SCOPE, incorporating guidelines for social investment and social obligations with ethnic groups; interdependencies with HSE in the prior consultation process; and it is stipulated that the guidelines also apply to allies and contractors of Ecopetrol S.A.</p> <p>Adjustment to numeral 2.3 LEGAL FRAMEWORK FOR ETHNIC COMMUNITIES, in relation to Presidential Directive 08 of September 09, 2020 (resolution to proceed with prior consultation with ethnic groups).</p> <p>Section 2.4.2 modifies the name of the section GUIDELINES FOR INTERLOCATION WITH ETHNIC COMMUNITIES, to read as follows: GUIDELINES FOR RELATIONS WITH ETHNIC COMMUNITIES. Paragraphs 2.4.2.1 <i>Interlocutors of the ethnic groups</i> and 2.4.2.2 <i>Relation guidelines</i> are included. Likewise, guidelines for contractors and allies of Ecopetrol S.A. are complemented, in relation to the commitment of knowledge and divulgence of the Guide for relations with ethnic communities.</p> <p>Section 2.4.3. GUIDELINES FOR HIRING MEMBERS OF ETHNIC COMMUNITIES IN LABOR, includes guidelines for contractors and allies of Ecopetrol, in relation to the guarantee of the ethnic differential approach in labor matters: equal opportunities in participation and access to vacancies and jobs. It also includes cultural considerations to be considered when hiring ethnic population.</p> <p>Section 2.5 GUIDELINES FOR THE INCLUSION OF THE ETHNIC DIFFERENTIAL APPROACH IN THE CONTRACTING OF LABOR AND GOODS AND SERVICES includes guidelines on the approval by the ethnic affairs team of the GOG (for its acronym in Spanish) of socio-environmental investment projects involving ethnic communities. It also includes guidelines for projects derived from prior consultations.</p> <p>GDE-F-173 Checklist for ethnic projects is included in section 2.6.1 2.6.1 CRITERIA FOR THE FORMULATION OF SOCIAL INVESTMENT OR ENVIRONMENTAL MANAGEMENT PROJECTS WITH A DIFFERENTIATED ETHNIC APPROACH.</p> <p>Include section 2.6. ROLE OF ENVIRONMENTAL PROFESSIONALS IN INTERDEPENDENCIES WITH HSE FOR THE DEVELOPMENT OF PRIOR</p>	
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		CONSULTATIONS. The activities and moments of the prior consultation that must be ensured by the social settings professionals of the regions are described.
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