



DEPARTMENT OF CITIZEN PARTICIPATION

Bogotá D.C., September 30, 2024

Mr.

ALEXANDER VON BISMARCK

Executive Director

Environmental Investigation Agency US

bismarck@eia-global.org

Subject: Reply to your communication "*Inquiries relating to report of violations of Colombian laws and regulations by Ecopetrol*"
CON-2024-071642 – CASO 05151139

Dear Sir von Bismarck:

In response to your communication received by e-mail on September 16, 2024, we are pleased to respond in the following terms:

1. Has Ecopetrol released greenhouse gas (GHG) in breach of Colombian laws and has Ecopetrol failed to report these emissions to the Colombian government and competent agencies? If it is the case, is the refinery in Barrancabermeja one of the emitting sites?

Since 2009, Ecopetrol prepares on an annual basis its greenhouse gas emissions – GHG inventory for the scopes 1 and 2 with a bottom-up approach. The GHG inventory compiles the emissions information from Upstream and Downstream segments and is reported and presented in accordance with the ISO 14064-1:2006 and GHG Protocol Corporate standards, under an operational control approach. The GHG inventory is voluntary verified by a third party every two years to ensure the quality of the data.

Within the inventory, all the GHG emissions generated by each asset and facility are calculated. All information related to GHG data is kept in the "Atmospheric emissions management system" - SIGEA, a calculation tool, which captures and manages all the information coming from the integration of other volumetric systems, incorporating the operations data required to estimate and calculate the GHG emissions. This information combined with the use of standard methodologies and ways of calculating emissions, such as mass balance and the usage of generic emission factors proposed by international accepted methodologies and standards, allows for the calculation of the GHG emissions (Carbon Dioxide – CO₂, Methane – CH₄, Nitrous Oxide – N₂O) in terms of tons of CO₂e (carbon dioxide equivalent).

This information is annually disclosed in the Sustainability Corporate Reports under GRI – Global Reporting Initiative-, DJSI –Dow Jones Sustainability Index, CDP –Carbon Disclosure Project-, among other publicly available reporting platforms.

In the period between 2016 to 2020 the GHG inventory was verified by AENOR (2016) and Ruby Canyon Environmental (2017-2020), to ensure data quality by an independent third party. In 2023, under the framework of the Integrated Sustainable Management Report, the GHG inventory for the scopes 1, 2 and the most relevant categories of the scope 3 was verified by EY (Ernst & Young), following the International Standard on Assurance Engagements (ISAE 3000).

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In relation with the reporting of GHG emissions to the Colombian authorities, there were no legal requirements on the matter until 2022 when the country issued regulation on methane emissions, leaks, vents and flaring in February 2022, being one of the first countries in Latin-America to do so. The Resolution 40066 establishes the "Technical requirements for the detection and repair of leaks, exploitation, flaring and venting of natural gas during hydrocarbon exploration and exploitation activities", issued by the Colombian Ministry of Mines and Energy in 2022 and becoming the first regulation on the matter in the country.

Ecopetrol actively participated in the formulation of the new regulation and has promoted different workshops and collaborative meetings with other operators in the country to better understand the regulation and work jointly to develop the action plans to comply with it. Complying with the requirements of this new regulation, Ecopetrol submitted to the ANH - Hydrocarbons National Agency in February 2024, the first fugitives baseline based on direct measurements carried out in all the Upstream assets, including the LDAR (leak detection and repair) program the company is currently implementing to keep leaks at its minimum level. Additionally, by the same dates the company submitted to the ANH, the vents closure program, based on engineering calculations, simulations and direct measurements conducted by the company since 2021.

2. Has Ecopetrol failed to fix until 2023 multiple sources of GHG previously reported by independent observers from the civil society in 2019?

Since 2019, Ecopetrol has been advancing in the methane emissions management undertaking bottom-up and top-down direct measurement campaigns with different technologies in the assets and facilities of the company, implementing a LDAR – leak detection and repair – program and more recently in March 2023, setting methane reduction targets by 2025 and 2030.

In 2021 Ecopetrol defined a Fugitive Emissions and Venting Management Strategy with the following lines of action: i) Updating and adjusting the methane emissions inventory, construction of specific emission factors for Ecopetrol, and definition of specific reduction goals; ii) Incorporation of design criteria and good engineering practices to reduce fugitive emissions and venting; and iii) Implementation of the LDAR - Leak Detection and Repair, a program for the identification, quantification, and repair of methane emission leaks.

Aligned with the company's efforts to reduce methane emissions, Ecopetrol also joined to the Climate and Clean Air Coalition (CCAC) in 2018, and later in 2020, the company joined the United Nations Environmental Programme led initiative called the Methane Initiative Framework (Oil and Gas Methane Partnership, most commonly known as the OGMP 2.0), which is the highest standard in the industry to manage and report methane emissions from oil and gas value chains.

In March 2023, Ecopetrol committed to reduce 45% of its methane emissions by 2025 and 55% by 2030, compared to the 2019 baseline, in upstream direct operations. In the period 2020-2023 Ecopetrol reduced ~13,000 tCH₄ (~392.000 tCO₂e). More recently, in November 2023, Ecopetrol obtained the Gold Standard recognition for the 2023 OGMP 2.0. report, being one of the companies reporting at the highest level of asset granularity. The Gold Standard is awarded to companies in the oil and gas sector that have a detailed plan for the measurement, reporting and reduction of methane emissions and that have achieved a credible level of direct measurements in their journey.

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In November 2023, Ecopetrol joined to the Aiming for Zero Methane Emissions Initiative, an initiative launched by the Oil and Gas Climate Initiative (OGCI) that encourages the oil and gas industry to reduce methane emissions close to zero by 2030. Ecopetrol also signed the Oil and Gas Decarbonization Charter – OGDC during COP 28, endorsed by companies representing 40% of global oil production to accelerate the decarbonization of the global oil and gas sector. The Charter lays out a series of ambitions towards net-zero operations by or before 2050 and a commitment to reduce methane emissions near zero by 2030.

As a result of all these efforts, the company has been systematically advancing in the identification and quantification of methane emissions. Ecopetrol has been working on this gradual improvement since 2019.

In terms of direct measurements, it is important to highlight some important aspects and milestones, as follows:

Ecopetrol has tracked methane emissions in both upstream and downstream segments. By deploying top-down and bottom-up campaigns with different detection and measurement technologies. It has identified as a result that more than 95% of methane emissions occur in upstream activities.

In 2019, the company conducted the first dedicated bottom-up campaign to detect and measure fugitive emissions in the Upstream with the vendor CDT del Gas. In 2021, the company received technical support from the Canadian government for conducting methane bottom-up measurements to fugitives and vents in tanks and wells in several significant upstream assets.

By the end of 2021, the company also performed the first top-down measurement campaign over 95% off the assets in Colombia (excluding Tibu Region due to physical security issues in the border line with Venezuela) with the company formerly known as Kairos Aerospace, recently rebranded as Insight M. Later, in 2023, the company performed the second top-down campaign over Ecopetrol's material operated and some non-operated assets.

In 2024, Ecopetrol is participating in an international scientific study for methane measurement, led by the United Nations Environment Programme and the University of Carleton. Its objective is to measure and identify key sources and drivers of methane emissions in the oil and gas sector in Colombia, to derive a measurement-based methane inventory for the country, to identify and understand material sources and to guide mitigation efforts. For this study, Ecopetrol's material assets (both operated and some non-operated) were included. The top-down measurements were conducted from March to May using an airborne Gas Mapping LiDAR sensor, and currently the bottom-up campaign is being planned to be executed in October and November 2024.

Ecopetrol is continually conducting fugitive emissions detection and direct measurements with OGI and QOGI devices and has an internal guideline for the implementation of a LDAR program, applicable to exploration and production activities, based on the requirements of Resolution 40066, and has a plan to reduce the methane emissions to reach the targets sets by 2025 and 2030.

To conclude, as a result of our better understanding of the current methane emissions of the company, Ecopetrol is on track in meeting its publicly available methane reduction

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targets, mentioned above, and it is leading the way among National Oil and Gas Company's worldwide.

3. Was Ecopetrol, and in particular its former Chief Executive Officer (CEO) Juan Carlos Echeverry Garzón, aware that the company was allegedly releasing wastewater with concentrations of toxic contaminants at higher concentrations than authorized by the Colombian regulation?

First, we would like to bring up a background note from 2021, in which the National Hydrocarbons Agency (ANH) requested Ecopetrol to respond to a similar allegation², to which the Company responded as follows, and that, for the purposes of this request, the response remains the same.

To state about "discharges at higher concentrations than authorized by the Colombian regulation" during the period where former CEO Juan Carlos Echeverry was in charge, it is necessary to refer to the regulatory framework of that period. Colombian regulation regarding discharges to surface water bodies was updated by the Resolution 631 of 2015 of the Ministry of Environment and Sustainable Development, and came into force on January 1, 2016, for new discharge users. For whom already had a discharge permit, such as Ecopetrol, the law granted a transition regime for compliance with the new quality standards that could vary between 1.5 to 5 years, depending on the user's compliance status, and whether they submit a Clean Technology Conversion Plan for Discharge Management (PRTLGV by its initials in Spanish).

Prior to Resolution 631 of 2015 coming into force, Ecopetrol carried out a preventive exercise to compare the quality of its discharges with regards to the new standard, which could generate difficulties for its compliance due to the inclusion of new quality parameters and more restrictive maximum permissible limits. This justified the development and execution of plans for conversion to clean technologies in discharge management (PRTLGV for its acronym in Spanish) that also included options for recycling water in the same production processes. Ecopetrol decided to present PRTLGV for 14 of its operating areas with surface discharges in 2015, aiming to eliminate them on a permanent basis, or to improve its quality to the levels required by Resolution 631 of 2015. Submitting these conversion plans to the environmental authority on April 2016, as required by Colombian law, and compliance with the previous regulation (Decree 1594 of 1984), granted Ecopetrol a transition regime of 5 years for complying with the maximum permissible limits. During this transition regime, the user is not required to comply with the parameters of the new discharge regulations, since action plans were in place to execute the interventions included in the conversion plan submitted to the authority, which are necessary to comply by the end of the transition regime. Conversion plans not only aimed to comply with the maximum permissible limits of the physical and chemical parameters, but also with 2 additional objectives requested in these plans: i) reducing the pollutant load at the treatment system inlet, and ii) increasing the reuse or recycle of wastewater.

In conclusion, we reject this allegation as it is not correct to state that Ecopetrol "was releasing wastewater with concentrations of toxic contaminants at higher concentrations than authorized by the Colombian regulation" between April 2015 to September 2017, given that Ecopetrol was already in the transition period for compliance with the new quality standards for surface discharges (Resolution 631 of 2015), in accordance with the law. Furthermore, it is worth mentioning that the based on the conversion plans 11

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discharge points were permanently eliminated, avoiding the discharge of more than 8 million m³/year into the surface water bodies of the area; currently, this produced water is being recycled for secondary oil recovery activities, which also reduce the freshwater withdrawals requirements.

Moreover, these initiatives made the way to Ecopetrol's voluntary water neutrality ambition, which aims for a 66% reduction in freshwater withdrawals for industrial use against a 2019 baseline year, zero discharges of industrial wastewater to fresh surface water by 2045, and to contribute to the water security in the territories where we have operations through offsetting actions.

3. Did Echeverry give orders to stop a research that was documenting the contamination of Colombian waterways by Ecopetrol?

The Compliance Direction reviewed the information under its responsibility, which is contained in the ethics hotline, finding that there is no record of information regarding the conduct related in the question.

3. Would you be able to share Echeverry's contact information so that EIA can reach out to him directly for comment?

Under Colombian data protection (Law 1581 of 2012) Law and the right to privacy, Ecopetrol cannot provide the requested information because it is reserved and there is no authorization from the owner of the data to deliver the requested information. In that sense, respecting the right to privacy of such holders and complying with the mandate of Article 18 (a) of Law 1712 of 2014, it is appropriate to deny access to such information.

4. Was Ecopetrol keeping in 2017 and 2018 a confidential database compiling all the environmental non compliance instances known by the company? Were some of the non compliance qualified as obstruction by the authorities? If it existed, has this database been updated until today and could you provide it to EIA?

Ecopetrol is subject to Law 1712 of 2014, known as Law of Transparency, which requires it to make publicly available information related to the execution and compliance with environmental permits and licences granted by the authorities to operate. Information related to project operations is stored in an information system that is managed by the authority and can be consulted by anyone.

Therefore Ecopetrol S.A., has a transparency framework based on the principle of good faith that constitutes a fundamental premise to achieve full compliance to ensure that the 40,832 environmental legal requirements are included in more than 440 environmental licenses. This is done through an internal procedure and an information system that manages and rigorously tracks compliance of each requirement. All environmental requirements are subject of continuous monitoring and evaluation by environmental national and regional authorities, through environmental compliance reports submitted by the company, and regular site visits to its operating areas to verify compliance with environmental authorizations and licenses.

Between 2016 and 2018, Ecopetrol followed up on the fulfilment of 21.125 obligations contained in 2.489 resolutions and communications from environmental authorities which



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include requirements related to water use, wastewater, GHG emissions, waste management, among others.

Environmental Compliance Reports per operation or project's file are submitted mostly on an annual basis to the environmental authority. These reports include the compliance progress of all requirements, so that the authority can keep track of each requirement. Thus, the authority has sufficient information to decide whether it should initiate an investigation or impose a sanction against the Company.

All employees in the administrative and operational areas, including managers and vice presidents, that manage compliance with environmental legislation have access to this information, who play a leading role in terms of compliance integration.

It is also important to mention that for more than 15 years Ecopetrol has listed its shares on the New York Stock Exchange (NYSE) and makes annual reports such as the 20-F report to the Securities and Exchange Commission (SEC) which, in addition to complying with its reporting obligation to the SEC, also ensures the provision of information to the NYSE, bondholders and the investing public in general. The annual report contains, among other things, relevant environmental information of the company, in accordance with the full adoption of International Financial Reporting Standards (IFRS).

For further information:

Information on the New York Stock Exchange can be found in the following link: SEC.gov | Home

Information submitted to the environmental authority in the framework of environmental legal compliance can be consulted at the following link https://vital.minambiente.gov.co/SILPA_UT_PRE/ReporteTramite/ReporteTramiteCP.aspx where you can verify all the environmental licenses and the monitoring and control decisions that have been issued.

Ecopetrol S.A., through the Integrated Management Report, provides its stakeholders and to the wider public with the results of the company's management in terms of environmental legal compliance, which can be found on the website and is updated annual <https://www.ecopetrol.com.co/wps/wcm/connect/eb1370d8-d0ae-43c2-9991-771af27599ac/informe-periodico-anual-esp+unido.pdf?MOD=AJPERES&attachment=false&id=1713445541043>
VITAL - Ventanilla Integral de Trámites Ambientales - Consulta Publica Tramites.

5. Was Ecopetrol keeping in 2017 and 2018 a confidential database with all the environmental damages known by the company? Were some of them kept hidden from authorities? If it existed, has this database been updated until today and could you provide it to EIA?

Ecopetrol S.A., in compliance with Colombian environmental regulations, reports all the impacts that may occur in the framework of its projects, operations or activities, licensed by the competent environmental authorities. It also reports all those effects originated by operations prior to Law 99 of 1993, i.e., which were generated prior to the establishment of environmental regulations applicable to the oil and gas industry in Colombia.

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Considering the above and in view of the permanent identification of impacts associated with hydrocarbons and generated by old operations, Ecopetrol S.A. decided, during 2017 to undertake advanced geophysics monitoring to determine the number and impacted areas or unresolved environmental impacts (IANRS for its acronym in Spanish), which are referred to in the question as "environmental damage".

For Ecopetrol S.A. the identified unresolved environmental impacts (IANRs) are conditions associated with a physical space with the presence of hydrocarbons found in concentrations above the reference levels (i.e. Louisiana 29B standard), either in soils, sediments, groundwater and/or shallows, in areas where Ecopetrol S.A. operates and/or within the area established in the environmental management and control instrument (i.e. environmental license or environmental management plan). As mentioned above, the main characteristic of these IANRs is that they were generated prior to Law 99 of 1993.

As of 31 December 2023, of the 286 identified IANRs back in 2018, 263 have been already environmentally remediated with 270.6 hectares intervened, achieving 92% IANRs remediated. This has been leveraged by advanced recovery techniques using microorganisms specialized in degrading hydrocarbons (bio and phytoremediation), which optimize recovery time by up to 50%. It is important to mention that the annual balances of identification and recovery of IANRs in Ecopetrol S.A. may be updated, therefore, the numbers reported since 2018 and to date, may have varied depending on the outcome of this review which is performed hand in hand with the environmental authority.

All the IANR remediation actions have been informed to the Environmental Authority mainly through Environmental Compliance Reports, and thus are monitored by the competent Environmental Authorities, during site visits to the intervened and remediated areas, and through the Environmental Compliance Reports review.

Information related to the identification and remediation of IANRs in areas where Ecopetrol S.A. operates is public and can be requested to the National Environmental Licensing Authority - ANLA for analysis and consultation.

Based on the above Ecopetrol can declare that Ecopetrol has undertaken remediation action plans within the identified unresolved environmental impacts (IANRs) which have been reported to the environmental authorities through the Environmental Compliance Reports, which are publicly available by request to the ANLA.

6. Has Ecopetrol allegedly reported a number of environmental incidents to the U.S. Securities and Exchange Commission (SEC) largely inferior to the number of incidents the company was aware of in 2017 and 2018, or at any other time?

Ecopetrol S.A. complies with the provisions of Colombian environmental regulations in the framework of its projects, operations and activities licensed by the competent environmental authorities. In this case, Ecopetrol S.A. complies with Resolution 1767 of 2016 (for licensed projects) related to reports of incidents or contingencies that have affected the environment, regardless of their origin or volume. These reports are communicated to the National Environmental Licensing Authority (ANLA) through a platform called VITAL, and can be consulted according to the guidelines of this entity.

However, it is important to mention that for providing information on sustainability reports, international radars, among others, Ecopetrol follows IPIECA guidelines for the oil and gas industry, which states on the ENV-6 indicator 'Spills to the environment' (see

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image 1) that it is standard industry practice to report on the number and volume of oil spills per incident greater than one barrel (>1 bbl). This guide is the benchmark used internationally for industry sustainability reporting such as GRI, IOGP, API, allowing a benchmark of environmental performance between companies in the oil and gas sector.

BASIS

It is standard industry practice to report the number and volume of hydrocarbon spills greater than one barrel (bbl) that reach the environment. For reference, 1 bbl = 42 US gallons or 159 litres; for solids, convert mass to volume in barrels, for example, using 159 kg or similar default value for weight of material. You should report volumes in barrels or cubic metres (1 m³ = 6.29 US bbl).

Image 1. Taken from Sustainability reporting guidance for the oil and gas industry.

It is important to highlight for data reported usually a specification is made on the scope of the data, and thus regarding the 20-F report, as shown on image 2, at the bottom of the reported data it is indicated that this number corresponds to incidents from an operational origin greater than 1 barrel.

II. Social and Corporate Responsibility (Ecopetrol S.A.)

1. HSE Performance

Table 27: HSE (Health, Safety and the Environment) Performance

A	B	C	D	E
HSE Indexes*	3Q 2018	3Q 2017	Jan-Sep 18	Jan-Sep 17
Accident frequency index (accidents per million labor hours)	0.51	0.72	0.59	0.69
Environmental incidents	3	3	11	11

* The results of the indicators are subject to subsequent modification at the close of the quarter, as some accidents and incidents are reclassified according to the final results of the investigations.
The results of the Ecopetrol Business Group are reported as from 2018.
Environmental incidents are defined as hydrocarbon spills greater than one barrel, with an environmental effect.

Image 2. Taken from 6-K REPORT OF FOREIGN PRIVATE ISSUER PURSUANT TO RULE 13a-16 OR 15d-16 UNDER THE SECURITIES EXCHANGE ACT OF 1934. 11/01/2018

As a result, the data reported in the reports to the US Securities and Exchange Commission on form 20-F, for the aforementioned periods 2017 - 2018, correspond to the number of incidents of operational origin with an impact on the environment with a volume greater than 1 barrel. The report of the total number of incidents that affected the environment and whose volume is less than, equal to or greater than 1 barrel, as mentioned above, is mandatory, and publicly available by request to the National Environmental Licensing Authority - ANLA for analysis and consultation.

7. Has Ecopetrol used a surveillance system in order to map, monitor and when needed influence key stakeholders from the areas where the company operates?

Ecopetrol S.A. has a Strategy of integral management of the territory with "the objective of contributing to territorial development and business sustainability along the value chain of each line of business of the Ecopetrol Group, by building relationships of trust with stakeholders present in the territories. Our corporate group carries out different social investment portfolios to generate shared prosperity, in a framework of security with respect and promotion of human rights". The aforementioned has no relation with a

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monitoring system in terms of influencing stakeholders; on the contrary, its purpose is deeply related to activities that seek to strengthen permanent, participatory, and respectful dialogue with the different stakeholders, advance conflict resolution processes, promote processes for the construction of shared visions and promote citizen participation.

Territorial dynamics in the areas where the Company operates pose complex scenarios that require ongoing analysis. To this end, within the framework of the strategy, periodic monitoring and analysis of the risks and opportunities of the territory is carried out to contribute to the viability and sustainability of the Company's projects and operations. The corresponding methodology to prepare the diagnostic documents is duly documented in the guidelines built for this purpose within this process.

By the above and in accordance with the provisions of its Human Rights and Business Guide, the Ecopetrol Group is committed to the respect and promotion of HR within a framework of corporate due diligence in HR as a criterion for action and decision-making, implementing actions that contribute to prevent and mitigate adverse impacts on HR that may arise from business management and adopting the necessary corrective measures to improve processes; maximizing positive impacts and remedying in the event of human rights violations and promoting a corporate culture of respect and promotion of human rights among its employees and contractors.

It is important to point out that the Ecopetrol Group adhered to the United Nations Guiding Principles on Business and Human Rights, the Ten Principles of the Global Pact, the guidelines of the Organization for Economic Cooperation and Development (OECD) for multinational companies, the observance of the Voluntary Principles on Security and Human Rights, Convention 169 of the International Labor Organization (ILO) and Performance Standard Seven, Indigenous Peoples, of the International Finance Corporation (IFC).

8. Does Ecopetrol consider social movements and environmental demonstrations as high risk factors for its operations and profitability?

Ecopetrol promotes a corporate culture of respect and promotion of Human Rights (HHRR), which extends to its workers, suppliers, partners, contractors, and other stakeholders with whom it has a contractual or commercial relationship. Through its Human Rights and Business Guide¹, the Company strictly observes the Constitution, the law, and jurisprudence regarding HHRR. Additionally, it has adhered to and applies the United Nations Guiding Principles on Business and Human Rights (UNGPs) and other international instruments that embody the highest standards in managing HR issues within companies. Specifically, the principles of respect and commitment to life require the Company to refrain from generating negative impacts on the rights of individuals.

Referring to the rights holders, in 2023 the process of identification and prioritization of Ecopetrol's stakeholders was updated. This process allowed the Company to establish more effective relationships based on trust-building and mutual benefit. Properly identifying stakeholders, including employees, suppliers and their workers, communities, civil society organizations, partners, shareholders, and investors, among others, is key not only to understanding their interests, expectations, and concerns but also to identifying how they may be impacted within the framework of Ecopetrol's operations. This last point, in particular, is crucial for understanding who the beneficiaries of Ecopetrol's commitment to respecting HHRR are.

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With the aim of further increasing the visibility of communities and civil society organizations, the Company recently updated its public commitment to HHRR defenders². In it, the Ecopetrol Group declares its unwavering commitment to the respect and recognition of the peaceful work of HHRR defenders, including social and environmental leaders. It also emphasizes that the work of HHRR defense has been recognized nationally and internationally as vital in a democratic society, highlighting the need to respect it.

Ecopetrol acknowledges the importance of HR defenders' work for society as a whole and rejects any action that contributes, directly or indirectly, to threats, physical harm, or any circumstance that impedes the free, safe, and legitimate exercise of their work. This also entails rejecting any form of stigmatization against leaders.

Thus, Ecopetrol does not consider social movements and environmental demonstrations as risk factors for the development and profitability of the company's operations. On the contrary, Ecopetrol understands that the work of HHRR defenders is of great relevance to society as a whole and plays a fundamental role in corporate due diligence. This is because it allows companies to understand and manage the concerns of their stakeholders regarding HHRR issues and manage them to prevent impacts on rights holders. This is the reason why the Ecopetrol Group actively listens to and respects their positions and opinions.

9. Has Ecopetrol attempted to influence government agencies, including Corporations Autonomous Regional (CARs) in order to facilitate the company's operations?

No, Ecopetrol has never tried to influence any actions regarding National Environmental Authorities (Licensing Authority - ANLA and CAR's) to intervene or facilitate Company's operations. Ecopetrol does have an inter-institutional relations Strategy in order to follow up nationwide under legal principles of transparency, equality, impartiality, morality and administrative coordination, the overall requests those Entities normally process for environmental authorities within the mentioned framework.

10. Has Felipe Bayón Pardo used his power as former CEO of Ecopetrol to oust Eduardo Uribe Botero, former Vice President of Sustainable Environment and Development? Was blackmail used against at least one employee by employees from the human resources department?

In this regard, it is important to note that the Company has the legal authority to terminate the individual employment contract unilaterally and without just cause, specifying that Article 61 of the Substantive Labor Code, Section 1. Thus, making use of this legal authority, Ecopetrol S.A. decided to terminate the employment relationship with Mr. Uribe Botero as of July 2, 2019, during the validity of Mr. Felipe Bayón Pardo contract.

It is important to clarify that the use of the possibility of terminating the contractual relationship unilaterally and without just cause by the employer is part of the powers provided for in the law and does not correspond in any case to the alleged conduct indicated in this section.

The Compliance Direction reviewed the information under its responsibility, which is contained in the ethics hotline, finding that there is no record of information regarding the conduct related in the question.

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10. Would you be able to share Uribe and Bayón's contact information so that EIA can contact them directly for comment?

Under Colombian data protection (Law 1581 of 2012) Law and the right to privacy, Ecopetrol cannot provide the requested information because it is reserved and there is no authorization from the owner of the data to deliver the requested information. In that sense, respecting the right to privacy of such holders and complying with the mandate of Article 18 (a) of Law 1712 of 2014, it is appropriate to deny access to such information.

11. Had Ecopetrol board of directors forged a secret triangular alliance with the Colombian armed forces and the paramilitaries in the mid to late 1990s, as described by José Eduardo González Sánchez to the Special Jurisdiction for Peace? Has Ecopetrol maintained the alleged direct or indirect relationship with paramilitary groups, in particular through a triangular alliance that involves the national forces, in particular in the Medium Magdalena region?

All actions of Ecopetrol S.A., its Board of Directors, its Senior Management, and its employees strictly adhere to compliance with the law and respect for human rights (HHRR). The aforementioned individuals are subject to the Code of Ethics and Conduct, which contains mandatory guidelines on ethics and HHRR, and which, among other things, prohibits any type of illegal activity that could impact HR and the integrity of the Company.

During its more than 70 years of operation, Ecopetrol has had no relationship whatsoever with illegal groups, particularly illegal paramilitary groups. To date, there are no judicial or administrative proceedings against Ecopetrol S.A. in which the company has been a party, found responsible, or been sanctioned, nor have any of its employees, for alleged payments to fund illegal activities.

Ecopetrol is the first to be interested in ensuring that any individual conduct that violates the Constitution, the Law, and HHRR is investigated and, if applicable, sanctioned in accordance with the current legal framework. The Company fully cooperates with the relevant judicial and disciplinary authorities investigating actions that may fall within this scope.

Regarding the statements made by Mr. José Eduardo González Sánchez, it is important to inform you that the Special Jurisdiction for Peace (JEP) is conducting the investigations it deems necessary to clarify the facts brought to its attention, and in which, among others, Ecopetrol S.A., its employees, or contractors have been mentioned. In this context, Ecopetrol has actively collaborated in clarifying the facts.

12. Has Ecopetrol attempted to coerce, directly or indirectly, individuals or organizations that have publicly criticized the company's operations?

In light of the response to question number 8, Ecopetrol is aware of the importance of human rights (HHRR) defenders, including social and environmental movements. The Company understands that the work of HHRR defenders is highly significant for society as a whole and plays a fundamental role in corporate due diligence. This is because it allows companies, and Ecopetrol specifically, to understand and manage the concerns of their stakeholders regarding HHRR issues and to address them in order to prevent impacts on rights holders. As a result, the Ecopetrol Group actively listens to and respects their positions and opinions, without any form of coercion.

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13. Was it common practice from high Ecopetrol's executives to request the company's former Physical Security Manager to coerce opponents?

Same response as in question 12

14. How has Ecopetrol, or the companies that are contracted by Ecopetrol, responded to Wilson Valencia's allegation of long term contamination of his lands and the Palagua wetlands?**General Context**

It is important to mention that Mr. Wilson Valencia's accusations arise from the environmental impacts during the operations of the U.S. oil company Texas Petroleum Company (Texas)³ in the Palagua Field, located in the municipality of Puerto Boyacá, Boyacá department. This field was discovered in November 1954, and Texas operated it under concession contract No. 638, established between the Colombian Ministry of Mines and Energy and the company, from 1956 to 1986, when it was returned to the Colombian government.

From 1986 to 2001, the Colombian Petroleum Company – Ecopetrol assumed operations of the Palagua and Caipal fields, during which environmental damage caused by Texas began to surface, which had not been identified at the time of the field's reversion. As this was detected after the concession contract, it was ultimately assumed by the Colombian state.

In 2001, the Incremental Production Contract for the Palagua – Caipal Area was signed between the Ismocol-Joshi-Parko Consortium (UT IJP) and Ecopetrol, where UT IJP became the operating partner of these fields.

Upon the transfer of the fields from Ecopetrol to UT IJP, areas with hydrocarbon presence associated with Texas' operations were identified. Waste from operational activities had been stored in nearby areas without any management or mitigation measures. This was identified in the Environmental Management Plan for the Palagua and Caipal fields, which was approved by Resolution 0074 on February 16, 2004.

Considering this background, Ecopetrol included the inventory of Unresolved Environmental Impacts (IANRs)⁴ identified at that time in the modification of its environmental management instrument (Resolution 0021 of January 5, 2017). It is worth clarifying that Ecopetrol continues to analyze the areas previously operated by Texas using various soil diagnostic techniques, which has allowed them to update the affected areas. Additionally, the procedure for recovering the Unresolved Environmental Impacts (IANRs) was submitted for evaluation and approved by the authorities. The objective is to *"gradually recover the sites impacted by hydrocarbons (...) resulting from activities carried out by Texas Petroleum Company, which operated the field before Ecopetrol."* This procedure outlines the operational steps followed for the recovery of IANRs.

Response to Request

Ecopetrol and the Operator of the Incremental Production Contract for the Palagua – Caipal Area, UT IJP, as part of their administrative processes for handling Petitions, Complaints, Claims, and Suggestions (PQRS), have provided timely and diligent

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responses to each PQRS submitted by Mr. Wilson Valencia through the official channels established for this purpose (Ecopetrol's Citizen Participation Office and UT IJP).

Mr. Wilson Valencia is part of the community in the area of influence of the fields and is included as part of the target audience for ongoing communication and information efforts. He was also recognized by the National Environmental Licensing Authority (ANLA) as a third-party intervener in the environmental oversight and control of the Palagua Caipal Fields' Environmental Management Plan. Therefore, he is kept informed about the environmental management, compliance, and oversight carried out by both the Environmental Authority and the field.

It is important to mention that both Ecopetrol and the field Operator maintain permanent communication channels through which they keep the communities within the area of influence of the Palagua and Caipal Fields informed. These include bi-annual dissemination meetings held in each village to report on the progress and description of the environmental recovery processes of IANRs directly undertaken by Ecopetrol. Additionally, the Operator conducts constant engagement with communities, educational institutions, and environmental authorities through various channels, such as door-to-door announcements, a WhatsApp distribution group with over 800 participants, and the institutional newsletter #EsConHechos, along with audiovisual pieces shared on social media for wider dissemination in the area of influence, among others. It is noteworthy that, by March 2024, the Palagua-Caipal Field achieved a 93% positive perception of its operations in reputational measurement processes.

Considering the above and the frequent PQRS submissions by Mr. Valencia, since 2023 he has been informed about the progress of the environmental recovery of the IANRs located on his property and other topics of interest, ensuring that he receives information at his residence. In addition, over the past two years, a total of 12 PQRS related to accusations from Mr. Valencia concerning alleged environmental damage have been addressed thoroughly and on time. Both Ecopetrol and the Operator have provided responses and evidence disproving these accusations. (Annex 1 includes the response to a petition related to this accusation.) Furthermore, ongoing visits by national and local competent authorities (National Hydrocarbons Agency, Regional Autonomous Corporation of Boyacá, Office of the Comptroller General of the Republic, Office of the Attorney General of the Nation, among others) have led to formal requests, during which the correct actions of both the Operator and Ecopetrol, and their compliance with environmental regulations in both field operations and environmental recovery processes for IANRs, have been verified on-site.

Mr. Wilson Valencia is part of the community within the area of influence of the Fields and is included as part of the target audience for the permanent communication and information spaces. He has also been recognized by the National Environmental Licensing Authority (ANLA) as a third party in the monitoring and control framework for the Environmental Management Plan of the Palagua-Caipal Fields, which means he is kept informed about the environmental management, compliance, and monitoring activities conducted by both the Environmental Authority and the field.

Ecopetrol and UT IJP reiterate their environmental commitment and willingness to continue working in harmony with stakeholders. We extend an invitation to Mr. Wilson Valencia to participate in the bi-annual communication spaces held with the community, where information related to the progress of environmental remediation activities for IANRs is shared.

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It is important to reiterate that no new Unresolved Environmental Impacts have been created in recent operations. As mentioned before Ecopetrol has set undertaken remediation action plans, and diagnostic activities continue to be conducted to locate and recover new areas that were impacted by Texas' operations using highly efficient biotechnological methodologies and products suited for these conditions.

15. How has the company responded to the accusations of undue influence over multistakeholder land use planning, in particular related to the San Silvestre Wetland Integrated Management Regional District" protected area?

The National System of Protected Areas (SINAP for its acronym in Spanish), includes all protected areas under public, private, or community governance, at the national, regional, or local management levels, including the Integrated Management Regional Districts (DRMI). However in some of these areas, though within the SINAP, productive developments can be undertaken, according to the zoning and land use regulations defined by the Authority. It is established that the Environmental Authorities are responsible for the formulation, adoption, and administration of these areas.

In this context, regarding the Integrated Management Regional District (DRMI) of the San Silvestre Wetland, the Autonomous Regional Corporation of Santander (CAS) is the regional environmental authority responsible for its delimitation, formulation, adoption, and administration. Therefore, it is the competent authority to address any potential enquiries on the or zonification planning of these areas. Thus, the CAS is the entity that, in the event of any accusations of undue influence over land use planning in this instrument, will have the evidence related to the alleged accusations, as well as the responses provided to them.

On the other hand, Ecopetrol is not aware of any formal accusations regarding undue influence on the planning of the DRMI San Silvestre Wetland and acknowledges the autonomy and competence of the Environmental Authority responsible for managing this area. It is also important to highlight that, for the legitimacy of this instrument, the Authority conducts a rigorous adoption process through the Board of Directors, which is the highest body for consultation and approval of structural and strategic issues for the entity. This board is composed of national members, such as the Ministry of Environment, regional representatives from indigenous communities and the private sector, as well as local representatives from municipal and gubernatorial offices. This body approved the zoning and other provisions established by the current regulations of the DRMI San Silvestre Wetland, adopted through Agreement 045 on July 27, 2022, which formalizes the Management Plan for the Integrated Management Regional District (DRMI) of the San Silvestre Wetland.

16. How does Ecopetrol respond to allegations from individuals who say they have suffered threats and relate these incidents to their public critics against the company?

"Life First" is the first principle of Ecopetrol's Culture Declaration. This means that the corporate direction is based on the premise of safeguarding the well-being of both its workers and allies, as well as the community.

In the interest of promoting respect for human rights (HHRR), Ecopetrol recently updated its public commitment to HHRR defenders³. Through this commitment, the Company

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acknowledges the importance of their work for society as a whole and rejects any action that directly or indirectly contributes to threats, physical harm, or any other circumstance that impedes the free, safe, and legitimate exercise of their work. This also includes rejecting any form of stigmatization against leaders.

This public declaration is widely known within the Company. Additionally, workers and suppliers are continuously trained on HHRR issues, with a key point of discussion being the respect for the work of HHRR defenders.

Furthermore, Ecopetrol has not only publicly condemned acts of violence against HHRR defenders but, in accordance with its due diligence guidelines for addressing complaints about threats or harm to life and personal integrity, has notified the relevant state authorities of intimidation incidents reported by social and environmental leaders. Among the entities notified are the Ministry of the Interior, the National Protection Unit, the Attorney General's Office, the National Police, the Office of the Prosecutor General, and others. This is done in an effort to ensure that their constitutional rights are protected, the facts are clarified, and those responsible are held accountable. It is understood that the State has the legal obligation to address such situations. Therefore, the investigative work conducted by the Office of the Prosecutor General in these cases is crucial to preventing the recurrence of such incidents.

Cordially,

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24 hour Service

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"Because you will obtain personal information from the Ecopetrol S.A. database, from the moment it is delivered to you, in accordance with current legal provisions, you will be responsible for the processing of personal information and its reservation, and therefore must comply with the following obligations: i). Use the information exclusively for the purposes you indicated in your request and only be processed by you; ii). Preserve and process the information in conditions of security and diligence; iii). Collaborate actively and diligently with Ecopetrol S.A. to assure the owner that he or she can at all times exercise his or her rights to consult, rectify or delete his or her personal information; iv). Ensure the quality of personal information based on the guidelines of Consistency, Uniqueness, Completeness, Opportunity, and Confidentiality that are indicated in the internal regulations of Ecopetrol S.A. on the quality of the information, both in its environment and when it is transferred to a person in charge; v). Adequately and timely comply with all instructions given by Ecopetrol S.A.; vi). Comply with the instructions and requirements issued by the Personal Data Protection Authority of Colombia; vii). Review and comply with the duties and general principles established in the regulations Colombian law on the protection of personal information (especially Law 1581 of 2012) as well as the particular duties that may be imposed by a specific regulation, and to inform and ensure its compliance with the persons in charge of the processing of this personal information that are under their subordination; viii). Comply with all Ecopetrol S.A. regulations on information security and document management; and ix). Know and comply with all the duties, principles, regular channels and guidelines established in the Declaration of Treatment of Personal Information in Ecopetrol S.A. (available at www.ecopetrol.com.co).

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"Paragraph: In the event that you fail to comply with any of these obligations, Ecopetrol S.A., if it considers it pertinent or if legally mandated, will proceed to request the immediate return of the personal information improperly processed, its permanent elimination from the physical, electronic, optical or similar storage media where it was available, as well as to report the conduct to the competent public authorities and/or initiate against you a liability process either at civil, criminal, fiscal and/or disciplinary level (according to the degree of fault or intention as well as the damages caused) in relation to the processing of the personal information for which you were responsible or in charge of its processing.

"Paragraph 2: To measure compliance with the provisions of these obligations, the provisions of Article 15 of the Political Constitution of Colombia, Law 1581 of 2012, in the Regulatory Decrees of Law 1581 of 2012, in all general and special regulations of Colombia on protection of personal information (both legislative, regulatory, customary and jurisprudential that is binding in Colombia), and in the Declaration of Treatment of Personal Information in Ecopetrol S.A. (available at www.ecopetrol.com.co) must be taken into account."

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