



# COMPLIANCE PROGRAM SYSTEM

Ecopetrol and its Business Group

2024

## 1. Main Objective

To establish integrated guidelines on risk management, internal control, and compliance (fraud, corruption, bribery, money laundering, terrorist financing, financing of the proliferation of weapons of mass destruction, violation of anti-bribery regulations such as the FCPA, protection of free competition, and other rules related to transparency derived from regulations issued by binding authorities, as well as national and international best practices), promoting an integrated ethical behavior in the organization pursuant to internal regulations, legal provisions, and best practices adopted, added to the necessary control environment to identify possible deviations.

## 2. Specific Objectives

- Continue consolidating an ethical culture in the organization, framed by integrity and its ethical drivers underpinning the Ethics and Conduct Code
- Support compliance with the strategic objectives of the Ecopetrol Group and ensure the effectiveness of internal control over financial reporting
- Generate confidence in the company among investors, shareholders, partners, stakeholders, and the general public
- Provide guidelines for an integrated management of risks and internal control
- Manage compliance risks (fraud, corruption, money laundering, terrorist financing, financing of the proliferation of weapons of mass destruction, violations of anti-bribery regulations, such as FCPA and Law 1778/2016 (as amended by Law 2195 of 2022), and other regulations concerning transparency in operations, such as regulations issued by authorities exercising control over the company's activities), and those arising from possible violations of the Ethics and Conduct Code, to prevent their occurrence or mitigate the impact from their eventual materialization
- Promote the correct execution of processes through the identification of risks and the definition of controls and/or mitigating measures to prevent risk materialization
- Encourage compliance with legal and voluntary obligations related to ethics and compliance issues



## 3. Applicability environment

It is based on the analysis and understanding of the context of the organization and the Group, and covers the actions developed by and on behalf of the Ecopetrol Group. This System is applicable to Ecopetrol and its Group, as well as to the following parties: (i) members of boards of directors and employees of Ecopetrol and Group companies, (ii) individuals or legal entities that have a relationship with the Group: beneficiaries of legal age, shareholders, contractors, subcontractors, suppliers, agents, partners, customers, allies (including joint ventures) and bidders, including security services contracts or parties to an agreement, and (iii) individuals and legal entities engaged by the counterparties for performing activities with the Ecopetrol Group.

## 4. Regulatory Framework

### 4.1. External regulatory references

The Compliance Program System is based on the laws and regulations applicable to the Group, as well as on best practice manuals, such as:

- Foreign Corrupt Practices Act (FCPA), or the rules and regulations promulgated thereunder.
  - Sarbanes Oxley Act (SOX)
  - COSO 2013 and COSO ERM 2017 Guidelines.
  - IT governance and management framework (COBIT)
  - Basic Legal Circular of the Superintendence of Finance.
  - Basic Legal Circular of the Superintendence of Companies
  - External Circular 009 of 2016 from the Superintendence of Health
  - Circular 2022151000000053- 5 of 2022 from the Superintendence of Health
  - External Circular 20211700000005-5 of 2021 from the Superintendence of Health
  - Law 610 of 2000. Fiscal Liability Process
  - Law 1952 of 2019 (General Disciplinary Code) -amended by Law 2094 of 2021.
  - Law 1118 of 2006. Legal nature of Ecopetrol
  - Law 1474 of 2011. Anti-corruption Statute
  - Law 1712 of 2014: Transparency and the right to access public information
  - Law 1778 of 2016. Anti-bribery Law
  - Law 2195 of 2022. Whereby measures are adopted regarding transparency, prevention, and fight against corruption, and other provisions are issued
- Law 155 of 1959. General prohibition against acts that affect free competition
- Law 256 of 1996. Unfair Competition
  - Law 1340 of 2009. Protection of Free Competition.
  - Decree 253 of 2022 - Benefits for collaboration.
  - Regulation of the Financial Analysis Unit - FAU.
  - Principle 10 of the United Nations Global Compact.
  - United Nations Convention against Corruption
  - Interamerican Convention against Corruption of the Organization of American States (OAS).
  - Guide of Good Practices for Internal Controls, ethics and Compliance, annex II, recommended by the Council of the Organization for Cooperation and Economic Development (OCED) to combat Bribery of Foreign Public Officials in International Commercial Transactions (Based on the 1997 Convention).
  - Guide for Companies in Colombia from the Transparency Secretariat of the Vice Presidency of the Republic.
  - Guide for the Implementation of Compliance Programs in Competition Law of the Superintendence of Industry and Commerce.
  - Recommendations for the implementation of an ethics and compliance anti-corruption program for UNODC Companies.
  - Guides for Compliance Programs of the United States Department of Justice – DOJ.
  - FATF Recommendations.
  - Benchmarks for compliance programs defined in the Parenting Against Corruption Initiative – PACI.
  - Business Principles to Counteract Bribery, International Transparency .
  - ISO-31000 for risk management.
  - The guidelines established in the technical standards ISO 37001:2016 Anti-Bribery Management System , and 37301:2021 Compliance Management Systems.
- DAFP Public Employee Values (2020).
- Best Corporate Practices Code – Country Code.
  - Reference Code of Conduct for Business Asia-Pacific Economic Cooperation APEC
  - Reference ICC rules to combat corruption are considered; however, they are not mandatory.
  - The UK Bribery Act 201 reference.
  - The guidelines established in NTC 6378 of 2020 regarding free competition.



## 4.2. Internal regulatory references

In furtherance of the Compliance Program system, the following documents have been developed as part of internal regulations, without limitation:

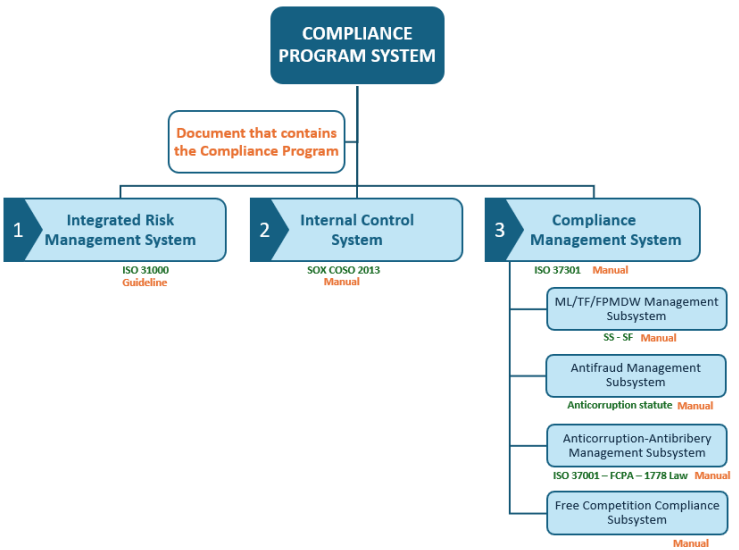
- Ethics and Conduct Code
- Internal Control System Manual for the Ecopetrol Group.
- Manual for Compliance Management System
- Guide for Integrated Risk Management at the Ecopetrol Group
- Anti-Corruption Management Subsystem Manual - Anti-Bribery
- Anti-Fraud Management Subsystem Manual
- Free Competition Compliance Management Subsystem Manual
- Manual on Self-control and Integrated Risk Management of Money Laundering, Terrorist Financing, and Financing of the Proliferation of Weapons of Mass Destruction
- Ethic Committee Regulations
- Guide for the preservation of internal order and decision-making by superiors
- Guide for Managing Gifts and Hospitality
- Ethical Mentor's Guide
- Guide for the Prevention of Corruption in the Negotiation of Land and Easements
- Guide for the prevention of compliance risks in the new ventures process at Ecopetrol
- Guide to the declaration of impediments under the economic sanctions' laws of the United States
- Ethics and Compliance Management Procedure
- Procedure for Procedure for Attention to Requirements of the Attorney General's Office
- Procedure for Attention to the Requirements of the Comptroller General of the Republic
- Procedure for Business Risks Management
- Procedure for Process Risk Management at the Ecopetrol Group
- Procedure for Emerging Risk Management
- Procedure for the Management of Controls and · Treatment Actions in the Ecopetrol Group
- Instructions for the management and prevention of conflicts of interest and ethical conflicts
- Instructions for internal control management in Bwise
- Instructions for the identification and assurance of electronic sheets with an impact on the Financial Report
- Instructions for the Management of Self-Evaluations of the Internal Control System in Ecopetrol
- Manuals for Contractual and Agreement Management
- Guide for the Attention of the Congress of the Republic
- Procedure for the planning, authorization, and subscription of Sponsorships and Acquisition of promotional materials of Ecopetrol.
- Procedures for social investment and relationships projects of Ecopetrol

## 5. Definition, structure, and functional areas of the Compliance Program System

The Compliance Program System is the document that frames the guidelines and good practices adopted by Ecopetrol S.A and its Group, which enables the three Management Systems of the



Corporate Compliance Vice Presidency to be harmonized and consolidated under a single system. (hereinafter VCU). The VCU, as the main accountable party for implementing the Compliance Program System, is an independent area that reports functionally to the Audit and Risk Committee of the Board of Directors.



Graph No.1 Compliance Program System

The Integrated Risk Management System (S1), the Internal Control System (S2) and the Compliance Management System (S3). The latter is developed through four Subsystems: Management Subsystem to prevent the risks of money laundering, terrorist financing and financing of the proliferation of weapons of mass destruction -ML/TF/FPMDW-, Anti-Fraud Management Subsystem, Anti-Corruption and Anti-Bribery Management Subsystem, and Management Subsystem of Free Competition (in the course of issue).

The set of these documents consolidated under the System fulfills the purpose of setting out the Compliance Policy of the Ecopetrol Group aligned with the objectives, strategy, and culture of ethics and compliance.

**S1. Integrated Risk Management System (IRS):**

The IRMS (or SRI for its initials in Spanish), which is based on the ISO 31000 standard, is made up of principles, framework, and process (or risk management cycle), which allow the company to maximize opportunities and manage the effects of uncertainty on compliance of its objectives. This system brings together risk management at the strategic, tactical, and operational levels of the company, which are managed under the single risk cycle, through the stages of i) planning, ii) identification, iii) evaluation, iv) treatment, v) monitoring and measurement, vi) recording and reporting, and vii) communication and consultation.

The IRS (SRI for its initials in Spanish) is led by the Corporate Vice Presidency of Compliance through the Corporate Management of Integrated Risk Management, and is supervised by the Board of Directors through its Audit and Risk Committee, to ensure integrated risk management related to the company's strategic objectives, using methodologies defined for this purpose, ensuring the management of strategic risks, and conducting analyses based on a comprehensive and correlated vision of risks, in line with sustainability indices and radars, best practices, and the company's strategy.

**S2. Internal Control System (ICS)**

Seeks to provide reasonable security in the achievement of strategic, operational, information reporting, and regulatory compliance objectives, through timely management of risks and

effectiveness of controls, verifying the individual and consolidated financial statements, in accordance with the FCPA Act (accounting provisions on books, records, and internal controls, without limitation thereto), SOX Act (adequate internal controls over financial reporting), and the COSO standard (internal control framework), ensuring its sustainability and continuous improvement at Ecopetrol and its subordinate companies. The ICS (SCI for its initials in Spanish) is applied by everyone in the organization, supervised by the Board of Directors, Senior Management, and control entities, promoting a transparent and effective performance that facilitates the achievement of organizational goals. The system promotes a culture of self-control and self-criticism, based on operations on which objectives, risks, risk alerts, and mitigation measures are determined, managed, and monitored. The Internal Control System applies the “three lines of defense” model.

The Corporate Management of Internal Control Assurance, in its role as the second line of defense, defines guidelines for risk management and process controls, and implements prevention and continuous monitoring schemes, verifying the internal control elements in Ecopetrol processes, including support of activities derived from the recommendations of external and internal control entities, along with monitoring risk management and process controls. These activities guarantee its sustainability and continuous improvement at Ecopetrol and its subsidiaries. Likewise, the Corporate Internal Control Assurance Management ensures the execution of management tests, which are conducted by an independent audit firm and ensure the effectiveness of controls (including compliance controls); it manages the relationship with the Statutory Auditor/External Auditor at the Ecopetrol Group.

**S3. Compliance Management System (CMS) (SCU for its initials in Spanish):**

It is defined as the set of measures, guidelines, structures, processes, and good practices established by the organization to ensure compliance with laws and other obligations aimed at preventing acts of fraud, corruption, bribery, money laundering, terrorist financing, financing of the proliferation of weapons of mass destruction (ML/TF/FPMDW), violation of anti-bribery regulations such as FCPA and Law 1778/2016 modified by Law 2195 of 2022, protection of free competition, and other provisions referring to transparency in operations, such as provisions issued by authorities that exercise control over the company's activities and their associated risks, considering the needs and expectations of its stakeholders. This System is developed through the Compliance Management System Manual.

In turn, the Compliance Management System is made up of four subsystems, based on the most representative compliance risks:

**Management subsystem for the Prevention of Money Laundering, Terrorist Financing, Financing of the Proliferation of Weapons of Destruction ML/TF/FPMDW:** developed through the "Manual on Self-control and Integrated Risk Management of Money Laundering, Terrorist Financing, and Financing of the Proliferation of Weapons of Mass Destruction" in accordance with the legal order provisions relative to ML/TF/FPMDW. For such purposes, it defines the general corporate guidelines and parameters for the identification, detection, prevention, reporting, monitoring and response in situations related to ML/TF/FPMDW risks.

[1] Leveraging Coso Across the Three Lines, by The Institute of Internal Auditors.

**Anti-Fraud Management Subsystem:** Developed through the “Anti-Fraud Management Subsystem Manual”, it establishes specific instructions and guidelines for the prevention, detection, continuous improvement, and response to fraud at Ecopetrol S.A.

**Anti-Corruption – Anti-Bribery Management Subsystem:** Developed through the “Anti-Corruption – Anti-Bribery Management Subsystem Manual”, its purpose is to establish and supervise the for the implementation of mechanisms for prevention, monitoring, detection, response and reporting of corruption - bribery acts.

**Free Competition Compliance Management Subsystem (in ocnstruction):** As part of the scope of the Compliance Program System for 2024, this Subsystem is formalized. It is developed through the “Manual of the Free Competition Compliance Management Subsystem”, and its purpose is to create a culture of compliance with the free economic competition regime for the protection of the interests and assets of Ecopetrol and market agents, and promoting competitiveness, productivity, plurality and dynamism in the markets in which Ecopetrol participates.

## 6. Compliance Program System Components

### 6.1. Senior Management Tone

Senior Management proposes, promotes, and encourages behaviors and guidelines aimed at consolidating an ethical organizational culture based on integrity, trust, and where an environment based on transparency, ethics, and legality prevails. Hence, Senior Management issues the guidelines, support and technical, human, technological, economic and other required tools, to implement adequate and sufficient risk management, with all the activities required to fight against the scourges of money laundering, terrorist financing, financing of the proliferation of weapons of mass destruction, fraud, bribery and corruption, to protect free and healthy competition and to ensure an environment of control within a sanctioning regime that allows identifying and correcting any deviation from the ethical framework.



### 6.2 Axes and Premises of the Compliance Program System

To fulfill the purpose of promoting and elevating the culture of ethics, risks, compliance and excellence, added to positioning it as the central axis of comprehensive risk management, exemplary and coherent behavior, and a sense of organizational excellence based on trust, honesty and respect for the ethical framework, the Compliance Program System is implemented through four (4) essential axes:



Graph No 1.2 Compliance Program System Ecopetrol Group

The 4 axes of the compliance program are framed in the following premises:

- Acting under ethical principles
- Work with agility and anticipation
- Timely and purposeful communication
- Generation of trust
- Integrated Risk Management.

**Strategic Support** seeks to bring together areas and businesses, translating into leverage on synergies, and identification and communication of relevant compliance alerts for informed decision-making.

From the axis of **Prevention**, we direct our efforts to promote the appropriation of culture through training, knowledge transfer, regulatory definition, and risk mitigation actions that lead to excellence in management based on integrity.

The axis of **Detection and Response** seeks to detect and act promptly through the verification of ethical issues, effective attention to potential deviations from the ethical framework, the administration of third parties, including due diligence, monitoring and alert management. The axis of Detection and Response seeks to detect and act promptly through the verification of ethical issues, effective attention to potential deviations from the ethical framework, disciplinary investigations, administration of third parties, including due diligence, monitoring, and alert management. On the other hand, the relationship with control entities is managed, aimed at supporting the Comptroller General of the Republic, the Attorney General's Office ,and all requirements, audits, requests and interactions with them.

Through **Continuous Improvement** we seek to optimize our Program System through lessons learned, technological innovation and the adoption of best practices that permanently strengthen the compliance function.

The main activities of each of these axis are:

- Continuous strengthening of ethics of the Ecopetrol Group based on prevention more than punishment, with the conviction of ethical conduct and free adherence to its postulates
- Risk Management and Internal Control
- Control over compliance with regulations regarding the prevention of compliance risks, and the adequate implementation and furtherance of the Anti-Corruption Plan



- Due diligence and counterparty monitoring
- Periodical monitoring of clients, vendors, suppliers, employees, partners, financial service providers, land suppliers, Joint Ventures, and any other counterpart
- Subscription of ethical clauses by counterparties, when a contract or agreement is executed
- Subscription of forms by contractors and partners regarding: i) prevention of ML/TF/FPMDW ii) Commitment to Contractual Integrity
- Subscription of Commitment with Integrity by Senior Management and all workers of the Ecopetrol Group
- Declaration and written ratification of the business partners (Joint Ventures) regarding knowledge of the principles and guidelines of the CEC of Ecopetrol and its BG
- Existence of an ethics line to incorporate dilemmas and queries, and to report possible violations of ethics and compliance guidelines
- Ethics and Compliance Office to provide advice on ethics and compliance
- Network of ethical mentors at the national level, who support the execution of the Compliance Program activities, which are intended to disseminate, encourage, and strengthen the internalization of ethical guidelines in the company
- Periodic training on risk management and anti-corruption practices for members of the Board of Directors, senior management, workers, areas of special risk, and counterparties. Induction for new workers on the ethical guidelines and principles of the organization
- Signing the information and obligations declaration form by the members of the Board of Directors

### 6.3 Cultural Principles

Our Compliance Program System is coordinated with the crosscutting principles of the Cultural declaration of Ecopetrol, which enshrines the cultural principle of "Always Ethical", which is described from the following particular actions:

- We are upright in all our actions and comply with the guidelines of the Code of Ethics
- We are accountable for our actions
- We are respectful and treat everyone well.

### 6.4. Our value and its drivers

**Our Value, Integrity.** We are consistent in what we say and do, and we act correctly out of conviction and not out of fear of sanction. We integrate all drivers into our actions, decisions and behavior.

Integrity as a representative , cross-cutting value is underpinned by Drivers that identify and reflect the ethical culture of the Ecopetrol Group: **honesty, respect, transparency, empathy, trust, and justice.**

In Ecopetrol, commitment to life prevails in every dimension, protecting physical, mental and emotional health, and ensuring the safety of all workers in the performance of their activities and duties.



### 6.5 Ethics in Ecopetrol

As a general framework of action, Ecopetrol has a Comprehensive Policy that, as regards Ethics and Compliance, includes ethics and transparency in its fundamental pillars, as follows:

“We frame our actions in ethics and transparency; therefore, we have zero tolerance for the occurrence of acts of fraud, corruption, bribery, money laundering, terrorist financing, and violation of the FCPA, in conformity with national and international laws that are applicable to us”.

The management of human talent and compliance with all business guidelines in terms of ethics and compliance are the main enablers of Ecopetrol's business strategy, reflected in the principle “Ethical Always” as one of the foundations of the organization; in turn, the Code of Ethics and Conduct is a fundamental pillar for the sustainability of the company, as it contains the declaration of compliance culture highlighted by the statements of the Board of Directors and the President, which set the tone for Senior Management with a clear focus and important message regarding the importance of organizational ethics.

Through its Corporate Bylaws, Ecopetrol expresses the adoption of a policy of zero tolerance against acts of opacity, fraud, bribery, corruption, violation of the FCPA Law, money laundering, terrorist financing, and financing of proliferation of weapons of mass destruction, and expresses the rejection of acts such as facilitation payments, political contributions and donations, and donations that do not comply with the requirements of the Political Constitution of Colombia, activities and payments for lobbying services, anti-competitive and monopolistic practices, sexual harassment, discrimination in all its forms, and any behavior that may be a transgression of the Political Constitution of Colombia and any local and foreign laws, as applicable. Likewise, it rejects any conduct that breaches or ignores the provisions contained in the Ethics and Conduct Code, and in the internal regulations.

## **7. Crosscutting elements of the Compliance Program**

### **7.1 Ethics and Conduct Code**

The Ethics and Conduct Code is the pillar of the Compliance Program System

Compliance gaps identified by any Ecopetrol Group companies that involve any type of compliance (corruption, bribery, fraud, FCPA, ML/TF/FPMDW), practices that restrict competition, without exception, must be reported to the Ecopetrol Compliance Officer, an to the Ethics Line. All behaviors that deviate from the ethical or compliance framework of the Ecopetrol Group are included in the Code of Ethics and Conduct of the Ecopetrol Group. Likewise, there is a Code of Ethics and Conduct intended for Suppliers, Contractors, their Subcontractors and Partners of the Ecopetrol Group.

### **7.2 Ethics Line**

Ecopetrol fosters an environment where workers and any interested party can denounce, report, raise queries, or request opinions regarding doubts or interpretations, without fear of reprisal, through an Ethics Line administered by a third party, which covers the companies of the Group, allowing centralization of information and coherent management of reported situations and potential deviations. The Ethics Line is one of the most relevant elements of the Compliance Program System, as it allows the Company to know, investigate, and take the necessary actions, according to the particular situation in each case. This is the channel to manage complaints, dilemmas and queries.

In addition to independence, the Ethics Line ensures the following:

- Availability all year round (24/7)
- Possibility of reporting in Spanish and English
- Reports can be submitted anonymously
- Confidentiality of the information and identity of the whistleblower
- The system records the reported information, guaranteeing the protection of personal data, in accordance with the applicable data protection guidelines
- Retaliation is prohibited and the whistleblower is protected
- The matter is objectively verified by an independent team
- Whoever files the matter can follow up on the procedure, even if it was filed anonymously, through the technological tool
- A response is issued regarding the management of the matter.

The access routes or contact methods of the Ethics Line are:

- web page – intranet – home page - quick access – Ethics Line:  
<http://lineaetica.ecopetrol.com.co>
- International Line (Free International Prefix) 018009121013
- National Line in Bogota 3103158600 or Extension 43900 for Ecopetrol employees

As an additional mechanism, employees can contact the Corporate Ethics and Compliance Affairs Management and/or directly the Corporate Vice Presidency of Compliance, or receive personalized advice from the Ethics and Compliance Office or through the Internet National Ethical Mentors<sup>[2]</sup>, who are responsible for detecting needs and alerts related to compliance risks and reporting them in a timely manner to the Corporate Vice Presidency of Compliance.

Ecopetrol, being aware of the imperative need to protect whistleblowers in good faith to ensure the use of the available mechanisms, protects any person who has revealed information that suggests illegal conduct or practice, or breaches of ethical and organizational guidelines and, which due to the information provided may be susceptible to retaliation such as risks to their work, physical, or emotional integrity derived from different types of threats or consequences<sup>[3]</sup>. Therefore, retaliation against the whistleblowers is rejected.

### **7.3. Roles and responsibilities**

#### **7.3.1 Board of Directors**

In accordance with the corporate bylaws, it is the body responsible for approving the Code of Ethics and Conduct, it fulfills the approving, guiding, directing, and supervisory functions assigned to it in accordance with the compliance function, which includes risk management and internal control.

#### **7.3.2 Audit and Risk Committee**

According to the Internal Regulations of the Audit and Risk Committee of the Board of Directors of Ecopetrol, it grants the following main functions associated with the Compliance Program System of which the following must be highlighted:

- Knowing and following up on the periodic reports of the Corporate Vice Presidency of Compliance on complaints of corruption, accounting and financial fraud received by the Company, which affect the Financial Statements of Ecopetrol
- Supervise the efficiency of the function on prevention and control of compliance risks, including the procedures for submitting complaints, grievances, and anonymous claims
- Recommend that the Board of Directors approves the guidelines, policies, principles, models, and methodologies applicable on matters of internal control and monitor their correct functioning
- Confirm the implementation of the Risk Management System, analyze and recommend to the Board of Directors the approval of the Ecopetrol Business Risk Map, in accordance with the strategic objectives, and monitor the status of its Management
- Know and monitor the management of the subordinate companies that make up the Ecopetrol Group on issues that may affect the consolidated financial information Conduct periodic reviews of the reports from the Statutory Auditor, the Audit Team, and the Compliance Officer.

<sup>[2]</sup> Ethical Mentor's Guide

<sup>[3]</sup> Practical guide for the protection of whistleblowers of corporate corruption. Transparency for Colombia corporation



**7.3.3 Presidency**

According to the Bylaws, the President of the Company is responsible for presenting to the Board of Directors the Code of Good Governance and the Code of Ethics and Conduct for the corresponding approval by the highest management body, as well as: establishing and maintaining the Company's Internal Control System; leading the zero tolerance policy against events that may constitute compliance risks; the effective implementation and sustainability of the Compliance Program System, and fulfillment of the functions that, in terms of prevention and control of ML/TF/FPMDW, as assigned by the current and applicable regulations.

**7.3.4 Ethics Committee**

It is a Steering Committee which purpose is to direct the continuous strengthening of the ethics culture. Further, it issues recommendations, addresses specific situations regarding deviations from the ethical or legal framework in terms of compliance, and makes the corresponding corrective decisions or those aimed at closing corrective verifications, pursuant to the criteria established in its own regulations. The foregoing is intended to ensure the segregation of duties and seek decisions that are objective, independent, and impartial.

**7.3.5 Compliance Corporate Management - RCU (for its initials in spanish)**

In accordance with that provided in its bylaws, Ecopetrol has an independent area within its organic structure, which guarantees the adoption and management of the Compliance Program System. The RCU promotes its application and coordination at Ecopetrol and the companies of the Ecopetrol Group. It has a functional report to the Audit and Risk Committee of the Board of Directors and fulfills the main function of guiding, issuing guidelines, defining practices, and monitoring the Compliance Program System and the systems that comprise it, the management of ethical and compliance issues, the support to the Comptroller General and the Attorney General of the Nation with the aim of complying with current regulations and improving the control environment. Also, direct compliance with the Sarbanes Oxley Act regarding internal control with emphasis on financial reporting, as well as the management of ethical and compliance issues (fraud, corruption, money laundering, terrorist financing, financing of the proliferation of weapons of mass destruction, and violations of the FCPA Law) and, when applicable, support to the Comptroller General of the Republic and the Attorney General's Office.

**7.3.6 Compliance Officer:**

Ecopetrol has a Main Compliance Officer and an Alternate Compliance Officer, who ensure the effective, efficient, and timely operation of the Compliance Program System, fulfilling appropriately the functions assigned by law and by internal regulations, being subject to accrediting the regulatory requirements for their designation, among which the following stand out: (i) be appointed by the Board of Directors, (ii) have decision-making capacity, and (iii) have the necessary time to perform their functions and be supported by a human and technical team that allows them to adequately fulfill their duties.

**7.3.7 Owners of Processes and Leaders**

The leaders of the Organization are responsible for the implementation of the Compliance Program System within their area of responsibility. Likewise, within the leadership job descriptions there are functions related to the proper management and assurance of the controls under their responsibility, as well as ensuring the execution of the risk management cycle, the timely



consolidation, and reporting of information. In the same vein, they must ensure that knowledge of the Code of Ethics and Conduct, the Compliance Program, and the compliance regulations are applied in the performance of their functions and complied within their areas.

### 7.3.8 Ecopetrol Group - Subordinates

The Boards of Directors and the Audit and Risk Committees of the companies that make up the Ecopetrol Group exercise leadership in their respective companies regarding execution of the guidelines of the Corporate Compliance Program System, with similar responsibilities.

The RCU report to the Compliance Managers, or those who act in their stead, in the subordinate companies that have a compliance structure, who are responsible for managing ethical issues, ensuring the Integrated Risk Management System, the Internal Control System, and the Compliance Management System, as well as performing activities that are defined annually under the Compliance Program System. They must submit periodic reports on their management to the parent company.

### 7.3.9 Workers

All Ecopetrol Group personnel are required to know the functions, responsibilities, and regulations related to their position; likewise, the communication channels available to raise any questions and/or irregularities regarding ethical and compliance issues, risks and internal control. In case of becoming aware of events of non-compliance with these guidelines or acts contrary to them, these must be reported to the available channels. Their conduct must be framed and characterized by ethics, transparency, and integrity.

### 7.3.10 Stakeholders

In addition to the obligations agreed in the binding documents signed with each of the stakeholders with whom the Ecopetrol Group relates, they must comply with the following:

- **Investors or Shareholders:** (i) review financial and compliance reports provided by the organization, (ii) participate in briefings and general meetings to discuss compliance issues, (iii) collaborate with the organization to ensure ethical and transparent business practices.
- **Customers:** (i) Comply with the terms and conditions agreed upon in contracts and agreements, (ii) provide accurate and complete information, when necessary, (iii) communicate any concern or problem related to a real or potential deviation from the ethical or regulatory framework regarding compliance.
- **Suppliers, Contractors and their employees:** Suppliers and Contractors – and their employees – are one of the most relevant and influential stakeholders, since through contractual execution, they are the ones who allow fulfillment of the corporate purpose and activities of Ecopetrol and the Group companies. With this understanding, added to an adequate own risk management, they must secure the adoption, appropriation, and implementation of the binding guidelines. Additionally, they must: (i) comply with contractual requirements and applicable regulations, (ii) inform the organization of any changes that may affect compliance, (iii) collaborate in compliance audits and evaluations, as necessary.
- **Associates and Partners:** They play an essential role in the performance of the Company's projects and are subject to the binding guidelines enshrined in the documentation of the Compliance Program System to ensure a relationship based on ethics, transparency, legality and the joint construction of an environment of trust and integrity.
- **Society and Community:** For the Ecopetrol Group, engagement with the various stakeholders is the transversal axis that leads to the building of long-term relationships of trust with the different actors in the areas where they operate. In the sustainability efforts, the aim is for the communities to: (i) participate in training or activities related to the compliance function, (ii) inform the organization through the Ethics Line about any real or potential deviation from the ethical or legal framework regarding compliance.

## 7.4 Collaboration with authorities

Ecopetrol and its workers shall collaborate actively, showing their willingness and commitment to the authorities when required in the investigations they conduct, for timely addressing the requirements and any other methodology that the authorities deem relevant<sup>[4]</sup>.

Additionally, and in accordance with the disciplinary rules, public servants, as is the case of Ecopetrol workers, have the obligation of reporting to the competent authorities the crimes, contraventions, and disciplinary offenses of which they become aware. <sup>[5]</sup>.

<sup>[4]</sup> The mechanisms provided for the attention of authorities include, but without limitation, the Procedure for attention to requirements of the Comptroller General of the Republic and the Procedure for attention to requirements of the Attorney General's Office.

<sup>[5]</sup> Article 38 numeral 25 of Law 1952 of 2019, or those which modify, complement, or replace them.



Likewise, the Criminal Code in article 417 establishes as a crime the abuse of authority due to failure to report it by public servants when, knowing of a crime, they do not bring it to the attention of the corresponding authorities. For individuals, this same rule establishes, in article 67, that every person has the obligation to report any crime of which they become aware.



## 7.5 External indicators and meters: evaluations of the effectiveness and achievements of the Compliance Program

The Ecopetrol Compliance Program System is constantly measured and evaluated by national and international organizations, indicators and/or radars. Some of them are:

- **Dow Jones Sustainability Index (DJSI):** This indicator includes the chapters of Codes of Business Conduct (Ethics) and Risk and Crisis Management (Risks) in which the Organization has been improving its rating year after year, standing out in the industry.
- **Sustainalytics:** This radar classifies the company as a low-risk company in terms of bribery and corruption and recognizes that Ecopetrol's practices and policies are at the top tier of the industry.
- **MCSI:** In the Business Ethics component, it highlights the supervision of ethical issues, anti-bribery and anti-corruption policy, regular audits regarding ethical standards, protection of whistleblowers, training for employees on ethical standards, anti-corruption policies for suppliers, and policies related to the prevention of money laundering.
- **Equipares:** Ecopetrol obtained the silver seal and the Corporate Vice Presidency of Compliance made contributions in relation with the prevention and punishment of sexual harassment in the company.
- **Global Compact Colombia - UN:** In the component of "Robust Management Policies and Procedures in the Fight against Corruption", it was highlighted that Ecopetrol's assessment reflects commitment, leadership, and excellence in the fight against corruption.
- **Commitment to Transparency** Annual assessment of all workers, including Senior Management, by an independent third party, of the organization's transparency indices, in which the participation of 99.62% of workers has been obtained.
- **Self-evaluation of the Integrity and Compliance Program of the Transparency Secretariat of the Presidency of the Republic,** through the Integrity App.
- **Annual review of management systems:** quality (ISO 9001:2015), environmental (ISO 14001:2015), and occupational health and safety (ISO 45001:2018), by an independent third party, which evaluate, but without limitation, the risks and controls component. The management systems have been found adequate and without non-conformities.
- **The General Prosecutor's Office** periodically measures compliance with the obligations to publish information on the website, derived from the Transparency Law and the Right of Access to National Public Information Law 1712 of 2014; Ecopetrol has obtained satisfactory ratings.
- **The Comptroller General of the Republic** annually evaluates Ecopetrol's internal control system in financial audits, having obtained the highest rating: "Efficient".
- **There are other measurements of ethics, risks, and internal control matters such as:** 20F, which is a fiscal year report on the accounting principles accepted by the Security Exchange Commission – SEC; SASB (Sustainability Accounting Standards Board), which includes industry-related accounting metrics; CDP (Carbon Disclosure Project), which measures environmental risk management and environmental leadership; TCFD (Task Force on Climate Related Financial Disclosures), where financial information related to the mitigation of risks associated with climate change is disclosed; and GRI (Global Reporting Initiative), which is a standard guide for non-financial information on the responsibility of economic, environmental, and social impacts of companies.

### 7.5.1 Internal and external assurance of the Compliance Program System

The Corporate Internal Control Management ensures that controls mitigate process risks (including bribery, corruption, fraud and ML/FT/FPMDW) through management tests, which are conducted by an independent audit firm. Similarly, the Corporate Ethics and Compliance Management conducts permanent monitoring of areas and activities of special risk. The Statutory Auditor conducts independent verification procedures regarding compliance and ethics, as well as controls that prevent financial fraud in Ecopetrol and the EG companies.

### 7.6 Continuous Improvement of the Compliance System

Ecopetrol permanently seeks the optimization of the Compliance Program System, added to continuous improvement aimed at achieving suitability, adequacy, and effectiveness; it thus develops improvement plans and takes appropriate actions to correct or mitigate aspects that do not contribute to the objectives of the System as a result of the audits and the opportunities for improvement derived from their review. Likewise, the constant development of prevention measures is sought, based on deviations, warning signs, and situations that require the establishment of effective mechanisms to avoid recurrence or the strengthening of guidelines for mitigating such events.

The System is also optimized in line with the context and needs of the business, always seeking solutions and approaches that generate value and respond to the strategy and priorities of Ecopetrol's areas and processes.

### 7.7 Implications for non-compliance with the Compliance Program System

Ecopetrol has [6] its shares listed on the New York Stock Exchange represented in ADR (American Depositary Receipt); therefore, the company must comply with the Foreign Corrupt Practice Law (FCPA) and the SOX Law, which makes it possible to be investigated and/or sanctioned by the North American Department of Justice (DOJ) and the US Securities and Exchange Commission (SEC).

The Compliance Program System is intended, without limitation, to comply with national and international legal provisions as ignorance thereof may imply the configuration of sanctions of various kinds, which are prevented through the proper implementation and execution of the System. The main purpose is to prevent:

- Disciplinary, criminal, labor, or fiscal sanctions
- Impairment of institutional reputation that affects its governance
- Impact on Ecopetrol's reputation vis-à-vis control organizations and its stakeholders
- Weakening of Ecopetrol's compliance culture towards the achievement of established objectives
- Affection of the company's compliance culture and the credibility of the Company's collaborators
- Failure to achieve, be it in whole or in part, the specific objectives of the Compliance Program System
- Deficiencies in scope and quality in the execution of processes, which reduce the ability to achieve objectives

Through the following mechanisms, we seek to prevent and sanction acts related to compliance risks:

- The Internal Work Regulations that contain the internal disciplinary regime
- The Work Contracts, through which the workers undertake to act transparently and not to violate the Ethics and Conduct Code
- The Procedure for granting variable compensation, which sets out the causes for non-payment of this benefit when the company's ethical guidelines are violated, or internal control failures have occurred
- Background check and integrity test to all employees of the organization
- Induction for new employees on ethical issues, training, and communication
- Employee performance evaluation system that includes, in addition to work objectives, organizational competencies: passion for excellence, commitment to life, creativity - responsibility, collaboration - communication and integrity
- Ecopetrol employees who have responsibilities in contractual processes must sign their commitment to contractual integrity for each process.

[6] Additionally, Ecopetrol shares are listed on the Colombian Stock Exchange



## COMPLIANCE PROGRAM SYSTEM

Ecopetrol and its Business Group

2024

[www.ecopetrol.com.co](http://www.ecopetrol.com.co)

