

	<b>Anti-Corruption - Anti-Bribery Management Subsystem Manual</b>		
	<b>Compliance System</b> <b>Corporate Vice Presidency of Compliance</b>		
	<b>CODE</b> <b>SCU-M-001</b>	<b>Drafted on</b> <b>December 14, 2023</b>	<b>Version: 1</b>

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## 1. OBJECTIVE

### 1.1 General Objective

Establish and supervise the application of the general instructions and guidelines for the implementation of mechanisms for prevention, monitoring, detection, response and reporting of corruption - bribery acts that may occur at Ecopetrol S.A.

### 1.2. Specific Objectives

- Guide workers and all those who have business relationships with the company on how to identify corruption – bribery acts, and how to react against them to develop behaviors framed in ethics, transparency, and honesty.
- Provide the guidelines to establish, document, implement, maintain, continually review and, when necessary, improve the Anti-Corruption - Anti-Bribery Management Subsystem of Ecopetrol S.A (hereinafter Ecopetrol), abiding by and complying with the requirements of ISO 37001:2016 "Anti-bribery Management Systems".

## 2. GENERAL TERMS

### 2.1. Scope of Application

The guidelines contained in this Manual are to be applied in performance of Ecopetrol's activities, processes, and businesses, and their purpose is to manage corruption - bribery risks and promote a "Zero Tolerance" attitude towards corruption in its various modalities.

This document is applicable to all Ecopetrol workers, its administrators, partners (including Joint Ventures) with respect to joint activities, strategic partners, shareholders, contractors, subcontractors and, in general, all its counterparties with respect to any business, contractual, or legal relationship of any nature, as appropriate.


This Manual is a reference for the companies of the Ecopetrol Group and may be followed by their Boards of Directors as appropriate, in accordance with local legislation. In any event, each company must implement anti-corruption - anti-bribery policies in accordance with its organizational structure, respecting the general guidelines issued by Ecopetrol and following the guidelines established hereunder.

This document is approved by the Board of Directors; its annexes can be updated directly by the Corporate Vice Presidency of Compliance, which will be included in the half-yearly reports to the Board of Directors' Audit and Risks Committee.

### 2.2. Regulatory References

#### 2.2.1 External

- Law 1778 of 2016

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- Law 1474 of 2011 (Anticorruption Statute)
- Law 1952 of 2019 (General Disciplinary Code) and Law 2094 of 2021 "Whereby Law 1952 of 2019 is amended".
- Law 1712 of 2014 "Whereby the Transparency and Right of Access to National Public Information Law is created and other provisions are set forth".
- External Circular 20211700000005-5 of 2021 from the National Superintendency of Health.
- External Circular No. 2022151000000053-5 of 2022 from the National Superintendency of Health.
- Colombian Criminal Code
- Law 412 of 1997 whereby the Inter-American Convention Against Corruption (CICC) is approved in Colombia.
- Law 970 of 2005 whereby the United Nations Convention Against Corruption (UNCAC) is ratified in Colombia.
- United States Foreign Corrupt Practices Act
- Sarbanes-Oxley Act – SOX
- UK Bribery Act
- Anti-Corruption Ethics and Compliance Handbook for Business ("OECD Handbook"). OECD, UNODC and World Bank, 2013.
- Business principles to counteract bribery, Transparency International, 2013.
- Anti-corruption ethics and compliance program for companies: Practical Guide United Nations 2013 Anti-Corruption Guide for Companies based on the Anti-Corruption Statute - UNODC, CCB, Ministry of Justice and British Embassy in Colombia.
- How and why implement a Business Anti-Corruption Compliance Program? Transparency Secretariat, 2016.
- Law 2195 of 2022 "Whereby measures are adopted regarding transparency, prevention, and fight against corruption, and other provisions are issued."
- Constitutional Court, Sentence C-080 of 2023, Demand for unconstitutionality against articles 66, 67, and 68 of Law 2195 of 2022.
- International Standard ISO 37001-2016 "Anti-bribery Management Systems".


## 2.2.2 Internal

- Integral Policy
- Compliance Program
- Code of Ethics and Conduct
- Integrated Risk Management Guide for the Ecopetrol Group
- Internal Control System Manual
- Manual for Self-control and Integrated Risk Management of Money Laundering, Terrorist Financing, and Financing of the Proliferation of Weapons of Mass Destruction
- Anti-Fraud Management Subsystem Manual
- Process Risk Management Procedure in the Ecopetrol Group

## 3. DEVELOPMENT

### 3.1. General Guidelines<sup>1</sup>

<sup>1</sup> 1 For purposes of ISO 37001:2016, these general guidelines are understood as the anti-bribery policy enshrined in section 5.2 thereof.

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- Ecopetrol has a clear Zero tolerance policy against acts of fraud, corruption, bribery, opacity, violation of the Foreign Corrupt Practices Act ("FCPA"), money laundering, terrorist financing, financing of the proliferation of weapons of mass destruction, anti-competitive and monopolistic practices, and rejection of any behavior that may constitute a transgression of the Political Constitution of Colombia and/or applicable local and foreign laws<sup>2</sup>. Likewise, rejection of conducts that violate or ignore the provisions contained in the Ethics and Conduct Code, and in the internal regulations.
- The Organization prohibits facilitation payments, contributions, activities, and payments for lobbying services, political contributions, and charitable contributions not meeting the requirements of the Political Constitution of Colombia or the law.
- Ecopetrol does not tolerate the achievement of results obtained with violation or ignorance of international, national, internal standards or, in general, as a result of dishonest acts. The company's senior managers fully support those who refuse to engage in acts of corruption -bribery, even if as a result of that a business opportunity is lost.
- In accordance with legal provisions in force, Ecopetrol has a Compliance Program in place, under which a corruption risk management scheme is envisaged - bribery, among others, aligned with the requirements of the ISO 37001:2016 standard "Anti-bribery Management Systems".
- As part of the commitment to continuous improvement of the Anti-Corruption - Anti-Bribery Management Subsystem, the Compliance Program sets out in one of its four components, actions aimed at ensuring its suitability, appropriateness, and effectiveness; see section 3.2.10.
- The organization has adequate<sup>3</sup> and confidential channels to receive and manage complaints that may even be submitted anonymously. Under no circumstance will reprisals be allowed against those who use these channels.
- In the event of warning signs, Ecopetrol must undertake all necessary actions to determine whether acts of corruption - bribery were committed and, should it consider any conduct as such, it must report it to the internal authorities and/or competent authorities.
- If those who must implement these guidelines have questions regarding the provisions of the Foreign Corrupt Practices Act (FCPA), the provisions of the US Department of Justice (DOJ), other domestic or foreign anti-corruption laws, or the provisions contained in the Manual of the Anti-Corruption Management Subsystem - Anti-Bribery, they must request clarification, as necessary, through the ethics line, which is the channel to address dilemmas and queries.
- The Corporate Vice Presidency of Compliance, an independent area with direct access to the governing body (Audit and Risk Committee of the Board of Directors), is responsible for the design, implementation, monitoring, and continuous improvement of the Anti-Corruption - Anti-Bribery Management Subsystem. This Vice Presidency exercises the function of Company Compliance Officer.

<sup>2</sup>This policy is established in the "Social Bylaws of Ecopetrol S.A.", updated in accordance with the latest reform, article 46 "Transparency". Likewise, Ecopetrol has an "Integrated Policy" that includes ethics and transparency within its fundamental pillars, as follows: "We frame our actions in ethics and transparency, with zero tolerance for the occurrence of acts constituting fraud, corruption, bribery, money laundering, terrorist financing, and violations of the FCPA, in conformity with national and international laws that are applicable to us".

<sup>3</sup> Currently, Ecopetrol's tools or mechanisms for internal and external reports are:

- Web Page/Ethics Line link <http://lineaetica.ecopetrol.com.co>
- International Line (Free International Prefix) 018009121013
- National Line in Bogota 3103158600 or Extension 43900 for Ecopetrol employees.

With officials of the Corporate Management of Ethical and Compliance Affairs and/or directly with the Corporate Vice President of Compliance, or the Ethics and Compliance Office. All complaints received through these channels are analyzed in accordance with the Ethical Issues Management Procedure. This guarantees complainants that their identity will be kept confidential. Nevertheless, the claimant can, if so wishing, resort to these channels anonymously.

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- Failure to comply with anti-corruption – anti-bribery provisions may be the subject of investigation and sanctions for both, the organization and the people involved.
- Compliance gaps identified by any Ecopetrol Group company, involving any type of compliance (corruption, bribery, fraud, FCPA, ML/FT/FPADM), without exception, must be reported to the Ecopetrol Compliance Officer.

These guidelines will serve as a frame of reference for the establishment, review, and achievement of the Anti-Corruption – Anti-Bribery Management Subsystem objectives; see section 3.2.4.1.

Based on these guidelines, the recipients of this Manual must, as appropriate:

- Refrain from participating in acts involving fraud, bribery, corruption, violation of the FCPA Law, money laundering, terrorist financing, financing the proliferation of weapons of mass destruction, and other similar acts.
- Promote, maintain, execute, and strengthen the Compliance Program and an ethical and transparent culture within the organization, to prevent and mitigate the materialization of compliance risks.
- Have tools that enable the identification of company risks and envisage control measures for their mitigation.
- Report through the channels provided by Ecopetrol any actions that involve the materialization of any compliance risk.
- Reject acts of favoritism, clientelism, nepotism, or any other act that deprives objectivity and impartiality in the processes conducted at Ecopetrol.
- Cooperate with national and foreign authorities in conducting any inquiry and/or investigation that involves the Ecopetrol group, its workers, administrators, counterparties, beneficiaries, and others as required.

## 3.2. Definition and forms of corruption


Corruption<sup>4</sup> consists in the will to act dishonestly, abusing the power or trust entrusted by Ecopetrol with the intent of obtaining personal benefits, either directly or indirectly, and/or favoring third parties against the company's interests. The most usual form of corruption is:

### 3.2.1. Bribery

Bribery is an offer, proposal, promise, delivery, acceptance, or request for an improper advantage of any value, be it in money or in kind (products, services, offers, promise to pay something in the future), directly or indirectly, in exchange for an improper personal benefit, of a third party, or for the company, or for a person to act or not to act. Bribery can include public officials, individuals, companies and/or private organization<sup>5</sup>

<sup>4</sup> In Colombia this term is found in Paragraph 1, article 59 of Law 2195 of 2022, which states: "An act of corruption is understood to be the criminal conducts listed in the chapters of crimes against public administration, the environment, the economic and social order, financing of terrorist and organized crime groups, administration of resources related to terrorist activities and organized crime, those enshrined in Law 1474 of 2011, electoral crimes, or any punishable conduct related to public assets, which have been committed".

<sup>5</sup> In Colombia, Article 405 of the Criminal Code defines passive bribery as the crime committed by a public servant by receiving money or another utility to omit or delay an act typical of his service, to benefit both the passive and active subject. Article 406 of the Criminal Code defines improper bribery when a public servant accepts for himself or another, money, or profits, either directly or indirectly, for an act that he must execute in performance of their duties.

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A bribe is considered to be a bribe requested or accepted by Ecopetrol workers or any person or entity acting on their behalf, such as suppliers, contractors, subcontractors, partners. The following, among others, can be considered bribery:

- Money, or securities
- Payment or reimbursement for travel expenses
- Gifts
- Training
- Hospitality or benefits to family members
- Services: Payment of public or private services, services in kind (painting, electricity, consulting)
- Complimentary favors
- Scholarships
- Internships
- Sponsorships
- Improper payments disguised as contributions
- Job offer
- Discounts
- Partial payments, cancellation, or debt forgiveness
- Commissions
- Entertainment (tickets to events and shows, etc.)
- Improvements to real or personal property
- Telephones/Mobile telephone plans


The Foreign Corrupt Practices Act (FCPA), which applies to Ecopetrol for being listed on the New York Stock Exchange (NYSE), establishes that it is a crime to pay or offer anything of value, be it directly or indirectly, to a non-U.S. public servant, to obtain or retain business or gain an improper business advantage, under penalty of appropriate sanctions by the United States Department of Justice - DOJ, and the Securities and Exchange Commission - SEC. In turn, in Colombia, Law 1778 of 2016 (or the one that modifies or adds to it) defines that related to conduct that constitutes transnational bribery, as well as that corresponding to its investigation and sanction by administrative, control, and judicial authorities.

Bribery can be transnational<sup>6</sup> when it is promised or offered to a foreign public official, for the benefit of the latter or a third party, be it directly or indirectly, sums of money, any object of pecuniary value, or other benefit or utility in exchange for the latter performing, omitting, or delaying any act related to the exercise of their functions and having to do with a business or international transaction.

It is illegal and violates the provisions of the FCPA Law and, hence, those of Ecopetrol, to offer improper payments through third parties. Likewise, payments through intermediaries (agents or partners in Joint Venture and others) are prohibited, knowing that these, or part of them, will be used directly or indirectly for a bribe.

<sup>6</sup> Law 1778 of 2016, Article 30. *Transnational bribery*. Article 433 of the Criminal Code will read as follows: Whoever gives, promises, or offers to a foreign public servant, for the benefit of the latter or a third party, be it directly or indirectly, sums of money, any object of pecuniary value, or other benefit or profit in exchange for the latter performing, omitting, or delaying any act related to the exercise of their functions and related to an international business or transaction, will incur a prison sentence of nine (9) to fifteen (15) years, disqualification from the exercise of rights and public functions for the same term, and a fine of six hundred fifty (650) to fifty thousand (50,000) current legal monthly minimum wages.



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No relationships will be established with natural or legal persons for whom there is no full identification or sufficient evidence of their activities, operations, businesses, or beneficiaries, based on the results of the due diligence documents or activities.<sup>7</sup>

## **Prevention of corruption acts in the contracting process**

The contracting process may be exposed to risks of corruption, to prevent risks of this nature in the different contractual stages (Planning, Supplier Management, Procurement, Contractual Management); listed in Annex 2 are some enunciative and non-exhaustive situations that may give rise to acts of corruption in contracting.

### **3.2.3. Other situations that could give rise to corruption-bribery events**

#### **3.2.3.1. Conflicts of interest<sup>8</sup>:**

These are actions of individuals in matters in which they have or could have a particular and direct interest in their regulation, management, control or decision, or actions of their spouse, permanent partner, or one of their relatives in consanguinity: first degree (parents, children), second degree (siblings, grandparents, grandchildren), third degree (uncles, nephews), fourth degree (cousins); Affinity first (in-laws, stepchildren, stepfathers) and second (brothers-in-law), Civil (children or adoptive parents)<sup>9</sup>, or their de facto or legal partners<sup>10</sup>.

The Bylaws and the Code of Ethics and Conduct of Ecopetrol prohibit acting in the event of a potential conflict of interest and establish the obligation to report it and stay away from the respective actions. The "Instructions for the Management and Prevention of Conflicts of Interest and Ethical Conflicts" (or those that modify, complement, or replace them) include the types of conflict that may arise, the applicable regulations, and the situations in which they could arise. Furthermore, they describe the steps to follow for their reporting, and management within the areas, the obligation of revealing them, and the possible consequences of not reporting them, or acting while in a situation of conflict. This obligation and commitment are also enshrined and replicated at the highest level, in the Social Bylaws of Ecopetrol, the Regulations of the Board of Directors, and the Good Governance Code. Their breach is understood as a violation of internal labor regulations.

It must be considered that Ecopetrol workers are public servants<sup>11</sup> and, therefore, the pertinent rules of the General Disciplinary Code apply to them in this matter. Hence, a conflict of interest may constitute a disciplinary offence.

The Code of Ethics and Conduct also establishes the concept of ethical conflict. Its configuration breaches

<sup>7</sup>ANNEX 4. Counterparty Management Procedure - "Manual for the System of Self-Control and Comprehensive Risk Management of Money Laundering, Terrorist Financing, and Financing of the Proliferation of Weapons of Mass Destruction."


<sup>8</sup> "Conflicts of interest arise in all organizations, but they are not negative per se. Therefore, the expression should not be used to suggest illegitimate behavior or even acts of corruption." Practical guide to the Ethics and Compliance Anti-Corruption Program for companies. United Nations Office against Drugs and Crime. UNODC. New York 2013.

Article 44 of Law 1952 of 2019. Spouse, permanent couple, or any of their relatives up to the fourth degree of consanguinity, second degree of affinity, or first civil degree.

<sup>10</sup>Article 498 of the Commercial Code: The commercial company will be de facto when it is not incorporated by public deed. Its existence may be demonstrated by any of the evidentiary means recognized by law.

<sup>11</sup> Law 1952 of 2019 Article 25. *Persons subjected to the disciplinary law. Persons subjected to the disciplinary law include public servants, even if they are retired from the service (...)*.



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the principle of integrity, and it is defined as any act or circumstance that may imply a conflict of interest or that impairs the objectivity, equity, independence or impartiality, inasmuch as the private interest or decision-making for one's own benefit or that of a third party may prevail, and/or may be detrimental to the interests of the company. In case of doubts regarding a potential conflict, a dilemma should be formulated before the business ethics line.

Ecopetrol extends the guidelines on conflicts to its bidders, contractors, suppliers, clients, partners, or allies through the Code of Ethics and Conduct that is applicable to them, and through the signing of ethical clauses intended to guarantee:

- The knowledge, commitment, and application of the ethical and anti-corruption standards that govern Ecopetrol in the performance of its businesses.
- The commitment to act transparently and to report facts that violate ethical principles through the business ethics line.
- That no conflict of interest or ethical conflict arises.
- That no facilitation payments, gifts, promises or the offer of other advantages be made, be it directly or indirectly, through any person or entity, to a public official.
- Termination due to non-compliance, in Ecopetrol and its Group.

Likewise, contractors and partners sign forms to ratify their obligation to act in accordance with Ecopetrol's ethical principles and guidelines and not to incur situations of conflicts of interest and/or ethics that may affect the development of the business.


### **3.2.3.2. Facilitation payments**

These are minor, unofficial, inappropriate, and undue payments made to obtain or expedite the performance of a necessary routine action, to which the person making the payment is entitled. These types of payments are prohibited at Ecopetrol, even if they are minor. For workers of Ecopetrol to be able to identify them in case of facing them, their characteristics are the following:

- Whoever pays does not intend to obtain a business or contract; only to promptly resolve a matter, expedite a procedure, or a similar situation.
- Whoever pays is entitled to obtain that being requested.
- The person who receives the payment is usually a public official or employee of an organization, who has influence over the procedure. Payments may also be made to commercial service providers.
- The official or employee has no right to payment.
- It is not necessary that the payment or benefit be materialized, a simple promise is enough for the fault to be established.

Some examples of these payments may be:

- Payments to expedite or make it feasible to obtain an operating or environmental license.
- Payments to a customs agent, to have permits issued or merchandise retained in customs released.
- Payments to expedite administrative processes.

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### 3.2.3.3. Political contributions

These include any contribution or payment, in cash or in kind, with the intent of supporting a political cause. Contributions in-kind may include the free provision of goods or services, advertising or promotional activities that support a political party or electoral campaign, the purchase of tickets for fund raising events, the rental of elements to hold meetings, such as tents, chairs, etc., and contributions to research organizations linked to a political party or electoral campaign.

Political contributions<sup>12</sup> are prohibited at Ecopetrol and, therefore, workers cannot, be it directly or indirectly, through partners or contractors, or even in their personal capacity, finance or make contributions to parties, movements, or presidential or congressional electoral campaigns, nor induce others to do so<sup>13</sup>, in accordance with the applicable regulations. The diversion of social investment money, charitable contributions, contributions or sponsorships towards political activities or activities unrelated to the purposes established by Ecopetrol is also prohibited.

It is important to clarify that contributions to social investment, charitable contributions, and sponsorships that do not have political purposes are permitted by Ecopetrol and can be exercised as long as they are aligned with corporate policies. To prevent these legal activities from ending up having political purposes, a rigorous due diligence process must be conducted to allow us to know the receivers, their activities, operation, businesses, or beneficiaries<sup>14</sup>.

### 3.2.3.4. Lobbying


At Ecopetrol, payments for lobbying services are prohibited, whether direct or indirectly through one of its business partners, agents, etc. Lobbying means paying to influence policy or legislative decision-making, or to influence decisions that government officials are to take. Ecopetrol workers can only interact with public servants for the performance and execution of the Company's own activities, considering in all cases the internal and external provisions that govern the respective matter. In this interaction, such lobbying activities and any act of corruption, bribery, providing or receiving hospitality, or any fact that may affect or put into question transparency, are prohibited. Some examples of lobbying are:

- Payment to third parties to manage the issuance of laws, ordinances, or agreements that favor Ecopetrol.
- Payments to third parties to request the issuance of licenses or permits.
- Payments to third parties to negotiate with government officials the design of public policies that favor Ecopetrol.

<sup>12</sup> "Code of Ethics and Conduct" of the Ecopetrol Group. Facilitation payments, political contributions and charitable contributions, not compliant with that provided in article 355 of the Political Constitution are prohibited, as well as activities and payments for lobbying services, and the diversion of money from social investment activities or sponsorships towards political activities or others outside the purposes established by the Company. It must be kept in mind that violation of these prohibitions could lead to the imposition of sanctions in accordance with the law and our internal regulations.

<sup>13</sup> Numeral 2 of article 60 of Law 1952 of 2019 General Disciplinary Code, establishes, among other very serious offenses, the following: "*Offenses related to intervention in politics. (...) 2. Using employment to exert pressure on individuals or subordinates to support a political cause or campaign or influence electoral processes of a partisan political nature*".

<sup>14</sup> ANNEX 4. Counterparty Management Procedure – "Manual for the System of Self-Control and Comprehensive Risk Management of Money Laundering, Terrorist Financing, and Financing of the Proliferation of Weapons of Mass Destruction."

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### 3.2.3.5. Transactions involving public servers, public third parties, or Government Entities

The interaction between Ecopetrol workers and public officials <sup>15</sup>(linked to control agencies, ministries, territorial entities, autonomous corporations, superintendence, administrative departments, etc.) collaborators of the administration <sup>16</sup> or third parties that provide public functions<sup>17</sup>, hereinafter public third parties, must take place in accordance with the provisions of the FCPA Law (Foreign Corrupt Practices Act) and the principles set forth in the Code of Ethics and Conduct, and the anti-corruption regulations of the Ecopetrol Group. In this vein, any type of interaction that is established must correspond exclusively to the performance and execution of the Company's own activities, considering in all cases the provisions that govern the matter and the provisions of Annex No. 3 of this manual.

### 3.2.3.6. Gifts, entertainment, and hospitality

Ecopetrol workers are not authorized to give, offer, demand, request or accept gifts, hospitality, courtesies, meals, trips, or other benefits outside the parameters defined in the "Guide or Management of Gifts and Hospitality" (or other that modifies, supplements, or substitutes it). Also, they have the Test Form for receiving gifts and hospitality, where they can validate acceptance criteria and determine how to act in such situation.

### 3.2.3.7. Charitable contributions<sup>18</sup>

Charitable contributions are transactions that Ecopetrol can conduct, based on the parameters set out in article 355 of the Political Constitution and other current legislation on the matter.

Charitable contributions are legal acts by which a person transfers, **free of charge**, an asset or right to another person.


Not all charitable contributions are allowed. In accordance with article 355 of the Colombian Political Constitution, companies are expressly prohibited from making charitable contributions in favor of natural or legal persons under private law. Additionally, they cannot be used to divert money in favor of political activities or objectives outside the company.

<sup>15</sup> Political Constitution. Article 123. Public Servers: "They are the members of public corporations, the employees and workers of the State and its decentralized entities, territorially and by services." These are understood to be any person who works for the national, departmental, municipal government, judicial branch, deputies, councilmen, councilors, autonomous bodies, those who work in mixed economy companies other than those that make up the Ecopetrol group, or in official public service, industrial and commercial government entities.

<sup>16</sup> Collaborators: those individuals linked through contracts to provide services to public entities, to conduct activities related to their administration or operation.

<sup>17</sup> Administrative Department of the Public Service, "Guide for public administration, conflicts of Interest of public servants." Version 2. 2018. Page 13. "Public Function: It is any temporary or permanent activity, paid or ad hoc, performed by a person on behalf of or hired by the Government or its agencies, at all its levels and hierarchies, be it permanently or temporarily, by popular election, direct appointment, by competition or by any other legal means, extending its application to all magistrates, officials, and employees of the State, including individuals who are hired to perform activities related to the administration or operation of the Entity."

<sup>18</sup> Given Ecopetrol's Mixed Economy Company nature, it is considered that these terms would be equivalent to *charitable contributions*. The above considering that these, according to the Internal Revenue Services (U.S. federal Agency responsible for the collection of taxes and enforcement of tax law), correspond to a donation or gift to, or for the use of, a qualified organization. It is voluntary and provided without obtaining, or expecting to obtain, anything of equal value from qualified organizations.

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Ecopetrol is allowed to make charitable contributions pursuant to the terms of article 355 of the Political Constitution, as per the following parameters:

- In no case should charitable contributions represent a commitment or have the intention of obtaining a specific benefit in return, nor can they be used as a form of remuneration.
- Prior to the charitable contribution, a due diligence process will be conducted (standard or intensified in accordance with the provisions of the "Manual for the System of Self-Control and Comprehensive Risk Management of Money Laundering, Terrorist Financing and Financing of the Proliferation of Weapons of Mass Destruction" (or the one that modifies, complements, or replaces it), of the recipient of the charitable contribution, their legal representatives, and it shall be determined if any of them are considered Politically Exposed Persons (PEP)<sup>19</sup> and /or, if warning signs are found, the respective report will be submitted through the channels established for this purpose (Business Ethics Line)<sup>20</sup>.

Any charitable contributions made by the company, and their values, must be made public through effective channels, including the Integrated Sustainable Management Report that the company publishes yearly to guarantee transparency of information and mitigate risks.

Regarding the accounting management of the foregoing, the provisions of the "Procedure for the Accounting Management of Contributions and Transfers without Cost" must be followed (or the one that modifies, complements, or replaces it).

### 3.2.3.8 Sponsorships

Ecopetrol provides sponsorships<sup>21</sup> as a strategy to strengthen brand reputation and exposure. To effectively manage these, the minimum requirements and prohibitions provided for in the "Procedure for the Planning, Authorization and Subscription of Sponsorships, and Acquisition of Ecopetrol Promotional Products" and the "Corporate Guide for the Management of Ecopetrol Group Communications" must be observed" (or those that modify, complement, or replace it).


The minimum requirements to consider sponsorships are:

- Whoever requests sponsorship must be a legal person.
- The consideration granted by the party applying for sponsorship must be clearly defined.
- Sponsorship must be aimed at promoting the image and brand of the company, in accordance with that defined in the Corporate Strategy of Ecopetrol and the Communication Strategy in force.
- Its final value will be that determined in accordance with the Sponsorships Matrix.
- Sponsorship prohibitions:
  - Events, entities, institutes, or activities that give rise to confrontation between society groups

<sup>19</sup> Decree 830 of 2021 or the one that modifies or adds to it.

<sup>20</sup> The "Manual for the Self-Control and Comprehensive Risk Management System for Money Laundering, Terrorist Financing, and Financing of the Proliferation of Weapons of Mass Destruction" states: "In cases where it is identified that the counterparty represents a greater risk, or that it is a Politically Exposed Person (PEP), or that it is located in non-cooperative countries and high-risk jurisdictions, an intensified due diligence process must be conducted and immediately reported to the Corporate Vice Presidency of Compliance, through the ethics line."

<sup>21</sup> Those that are held by Ecopetrol to achieve, through payment, the exposure and positioning of its image and brand in accordance with Ecopetrol's Corporate Strategy and Communications Strategy.

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- or stakeholders of Ecopetrol and/or its Group.
- o Events, agencies, institutes, or activities that involve the promotion of alcohol or hallucinogenic substances.
- o Events in which the brand of Ecopetrol is negatively affected by its association with alcohol or smoking.
- o Events, entities, institutes, or activities in favor of a political candidate or current member of the national or territorial government.
- o Events, entities, institutes, or activities that are associated with products that may affect human health or endanger the life of the participants.
- o Events, associations, entities, institutes, or activities that have a political, ideological, or religious orientation, or promote discrimination of any kind.
- o Events or activities that may be interpreted as an act of corruption as per the terms of this Manual.
- o Events which main objective is to raise funds.
- o Awards, prizes, and acknowledgment of individuals.

Under no circumstances should sponsorships represent a commitment or have the improper intention of obtaining a specific benefit in return.

Prior to carrying out the sponsorship, a due diligence process shall be conducted (standard or intensified in accordance with the provisions of the "Manual for the System of Self-Control and Comprehensive Risk Management of Money Laundering, Terrorist Financing, and Financing of the Proliferation of Weapons of Mass Destruction" (or the one that modifies, complements or replaces it), of the recipient of the sponsorship, their legal representatives, and it will be determined if any of them are considered PEP and/or if warning signs are found, the respective report will be made through of the channels established for this purpose (Business Ethics Line).

Sponsorships and their value must be made public through effective channels, including the company's website, to ensure transparency of information and mitigate the respective risks.


When the company grants sponsorships, it must verify through the corresponding contractual partner that they comply with the agreed obligations and scope; otherwise, procedures or actions will be initiated for guaranteeing the return of the resources used by Ecopetrol for this purpose.

### **3.3. Elements for managing Anti-corruption – Anti-bribery risks**

#### **3.3.1. Roles and responsibilities**

Through the definition of roles and responsibilities for the management of Anti-Corruption – Anti-Bribery risks, this Manual demonstrates the leadership and commitment of the governing body (Audit and Risk Committee of the Board of Directors) and senior management.

The Board of Directors, the Audit and Risk Committee of the Board of Directors, and the President of Ecopetrol, exercise specific functions provided for in the company's Bylaws, the legal system, international and internal regulations aimed at preventing the risks of compliance, as well as the exercise of their ethical leadership, pursuant to the Code of Ethics and Conduct.

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### 3.1.1.1 Board of Directors

The Board of Directors of the Organization has the function of ensuring the effectiveness of the internal control and risk management systems and is responsible for approving the Good Governance Code and the Code of Ethics and Conduct and their modifications<sup>22</sup>, through its Audit and Risk Committee. Said Committee is made up of members of the Board of Directors, has functions related to compliance with the Code of Ethics and Conduct, and its regulations state that they must be aware of and follow up on the reports presented by the Corporate Vice Presidency of Compliance on compliance related complaints, and supervise the functioning of their regulatory compliance and prevention of compliance risks. Likewise, this Committee is aware of and monitors the management of ethical and corruption complaints from subordinate companies<sup>23</sup>.

Lastly, the Board of Directors will be in charge of approving the Anti-Corruption – Anti-Bribery Management Subsystem Manual and its updates.

### 3.1.1.2. President – Legal Representative

In turn, according to the Bylaws, the President of Ecopetrol must establish and maintain the Company's Internal Control System and lead the policy of zero tolerance against events that constitute compliance risks; furthermore, promote, maintain, and strengthen the Compliance Program, and an ethical and transparent culture within the organization to prevent and mitigate the materialization of compliance risks.

### 3.3.1.3. Ethics Committee

In the company there is an Ethics Committee, whose purpose is to ensure the monitoring and follow-up of the management of ethical behaviors, and also to recommend preventive and corrective actions aimed at strengthening the ethical environment of the organization. Together with the Ecopetrol Compliance Program, its functions include to know and evaluate the ethical environment of the Company, based on the analyses and reports presented by the Corporate Vice President of Compliance, without limitation

<sup>22</sup> Numeral 33 and 36 of article 23 of the Bylaws of Ecopetrol S.A.

<sup>23</sup> Article 10 of the Internal Regulations of the Audit and Risk Committee of the Board of Directors.

*"31. Know and follow up on the periodic reports of the Corporate Vice Presidency of Compliance or the agency that acts in its place on complaints of corruption, accounting, and financial fraud received by the Company and that affect the Financial Statements of Ecopetrol.*

*32. Study, analyze, decide, and order corrective measures as appropriate, regarding complaints on ethical misconduct that, in accordance with the internal regulations of the Company, correspond to the jurisdiction of this Committee.*


*33. Supervise the efficiency of the regulatory compliance function and prevention and control of fraud, corruption, money laundering, terrorist financing, and financing of the proliferation of weapons of mass destruction, through the semiannual report presented by the Compliance Officer and report to the Board of Directors the activities conducted.*

*34. Verify the establishment of the Risk Management System, which must include the identification, assessment, treatment, and monitoring of the Company's risks, their materialization, and the respective analysis of the impacts of the eventual materialization of risks.*

*35. 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.*

*Similarly, this committee is aware of and monitors the management of ethical complaints and compliance of the affiliates.*



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thereto. This committee meets in accordance with the periodicity and conditions established in the Ethics Committee Guide.

### 3.3.1.4. Corporate Vice Presidency of Compliance

In its Bylaws, Ecopetrol undertakes to have, within its organic structure, an independent area that secures the adoption and management of the Compliance Program, the Internal Control System, the Integrated Risk Management System, and to promote its application and coordination at Ecopetrol and the companies of the Ecopetrol group, with functional reporting to the Audit and Risk Committee of the Board of Directors.

In accordance with the provisions, Ecopetrol has a Corporate Vice Presidency of Compliance, an independent area that leads and manages the Compliance Program, which includes the Internal Control System, the Integrated Risk Management System (including the Anti-Corruption Management Subsystem - Anti-Bribery) with functional reporting to the Audit and Risk Committee of the Board of Directors.


The Corporate Vice Presidency of Compliance serves as the compliance officer. As part of this function, it will have the following responsibilities:

- It shall ensure the incorporation of the requirements of the Anti-Corruption-Anti-Bribery management subsystem into the Organization's processes.
- It shall supervise and evaluate the design, implementation, and operation of the Anti-Corruption - Anti-Bribery management subsystem.
- It shall provide guidance to staff on the Anti-Corruption - Anti-Bribery Management Subsystem.
- It shall ensure that the Anti-Corruption-Anti-Bribery management subsystem complies with the requirements of the ISO 37001:2016 Standard.
- It shall present semi-annual reports to the Audit and Risk Committee of the Board of Directors and to the Ethics Committee of the organization on the performance of the Anti-Corruption management subsystem. The reports must contain at least the status of actions from previous reviews, relevant context changes, an evaluation and analysis of the operation, efficiency, effectiveness, and performance of the subsystem, added to the results of the investigations and audits performed, and the improvement opportunities identified.
- It shall fulfill the functions defined in the document First-level Roles and Responsibilities of the Corporate Vice Presidency of Compliance GTH-G-159, or the one that replaces it.<sup>24</sup>

<sup>24</sup> By virtue of which, the following functions are established, without limitation thereto:

- Ensure that knowledge of the Code of Ethics and Conduct, the Compliance Program, and compliance regulations are applied in the performance of their functions and is complied with in their area.
- Coordinate so that the plans of each area of the Corporate Vice Presidency of Compliance are integrated into the Ecopetrol Compliance Program, including prevention, detection, response, and continuous improvement activities intended to mitigate compliance risks and to implement the ethical principles of the organization, to create a comprehensive ethical behavior within the company and for these to be replicated in the Group.
- Guide, issue guidelines, define practices, and monitor the Compliance Program, which includes: (i) internal control, (ii) integrated risk management, (iii) management of ethical and compliance issues, (iv) instruction of disciplinary processes, and (v) attention to the Comptroller General of the Republic and the Attorney General's Office, 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.



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To ensure its functions, the Corporate Vice Presidency of Compliance has an internal structure that supports its management. The Ecopetrol Compliance Program and the Annex on Roles and Responsibilities of the Corporate Vice Presidency of Compliance for Second Level and Subsequent describe in greater detail the roles and responsibilities of these areas.

### **3.3.1.5. Process owners, leaders, and workers**

They are responsible, according to their role, for the following:

- Knowing and internalizing the information contained in the Code of Ethics and Conduct and promoting similar actions among other recipients.
- Accept and/or require compliance with the regulations that govern the activity performed, and that related to prevention of corruption - bribery.
- Identify and evaluate the risks of corruption - bribery in operations, businesses, or contracts under its responsibility.
- Establish and execute controls to prevent acts of corruption - bribery.
- Raise the dilemmas and queries necessary to the ethics line to obtain advice and file complaints when they learn about facts related to corruption - bribery, even if it has not been configured.
- Support and document the operations, businesses, transactions, and activities under its responsibility.
- Participate in training activities, and training for the prevention of these risks.
- Do not tolerate or facilitate events that constitute corruption - bribery risks.

### **3.3.1.6 Counterparties**


They are responsible to:

- Identify, evaluate, control, manage, and monitor potential corruption – bribery risks in performance of their activities with Ecopetrol.
- Document operations and keep records of the transactions conducted with the Ecopetrol Group.
- Consult the business ethics line when needing advice in this type of situation, report the facts that may generate warning signs through the same means, and report acts of corruption - bribery of which they become aware even if these facts do not materialize.
- Participate in formation and training activities as part of the prevention of these risks.

### **3.3.2. Decision making**

To mitigate the risks of corruption - bribery, decision-making is regulated by ensuring adequate segregation of functions, the appropriate authority of the people who take them, making sure that they are free of potential or real conflicts of interest. In this regard, personnel must be guided by the provisions of documents such as the "Matrix of Decisions and Attributions" (or those that modify,

- Carrying out preventive and corrective monitoring against potential compliance risks (corruption, facilitation payments, political contributions and charitable contributions, fraud, national and transnational bribery, ML/FT/FPADM, violations of the CEC and the FCPA Law; and counterparties.
- Periodic reports are submitted to the Audit and Risk Committee of the Board of Directors regarding the efforts made by the Vice Presidency and its work teams.

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complement, or replace it)<sup>25</sup>and the “Instructions for the Management and Prevention of Conflicts of Interest and Ethical Conflicts” (or that which modifies, complements or replaces it), and other applicable guidelines, which are reviewed periodically.

### **Planning of the anti-corruption – anti-bribery management subsystem{**

The planning of the anti-corruption – anti-bribery management subsystem is aligned with the planning of the Compliance Program.

#### **3.3.3.1. Objectives of the Anti-corruption – Anti-bribery Management Subsystem**

The objectives of the Anti-Corruption – Anti-Bribery Management Subsystem are: (i)Promote compliance with laws, regulations and the adoption of good practices related to the prevention of corruption - bribery, detecting and attacking the causes that favor the occurrence of this phenomenon, (ii)Manage corruption - bribery risks through an effective, systematic, and timely process of identification, analysis, and evaluation thereof, as well as the implementation of anti-corruption - anti-bribery controls and mitigation measures, and (iii) Strengthen the culture of transparency in the organization and the ethical behaviors of collaborators and, in general, of all interested parties, to prevent and mitigate acts of corruption – bribery. These are planned considering:

- The general guidelines and purpose of the system;
- The resources (economic, human, technological, among others)required for its implementation and sustainment;
- Those responsible for the system in accordance with the designation of roles and responsibilities in this document;
- Periodic evaluation and information of results on the performance of the system;
- Preventive or corrective measures (sanctions or penalties) against non-compliance with the guidelines established by this manual.

#### **3.3.3.2. Actions to treat risks – Risk cycle**


At Ecopetrol, the anti-corruption - anti-bribery corruption - bribery management subsystem is supported by the principles and processes established by the Integrated Risk Management System (based on the ISO 31000 standard), the Internal Control System (based on the COSO 2013 model), as well as compliance with the Sarbanes Oxley - SOX Act of the United States of America, which the company must comply with for being listed on the New York Stock Exchange (NYSE) .

In general, at Ecopetrol risks are defined as the effect of uncertainty on the fulfillment of the company's objectives, considering the effect as positive or negative deviation, or both. Compliance risks are those related to fraud, bribery, corruption, violations of the FCPA Law, money laundering, terrorist financing, and financing of the proliferation of weapons of mass destruction<sup>26</sup>. The anti-corruption – anti-bribery management subsystem is framed within compliance risk management.

The anti-corruption – anti-bribery management subsystem is implemented within the process risk management cycle, which includes the stages of identification, evaluation, treatment, monitoring,

<sup>25</sup> See “Guide for the definition and use of Ecopetrol's decision and attribution matrices.”

<sup>26</sup>“Bylaws of Ecopetrol S.A.” Article 46. Transparency. Numeral 1.

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registration and reporting, and communication in accordance with the provisions of the "Procedure for Process Risk Management in the Ecopetrol Group – GEE-P-005" (or that which modifies, complements, or replaces it). The organization continually identifies corruption - bribery risks, and designs controls to manage them, permanently monitoring them to prevent, detect, and mitigate or correct situations of materialization thereof, seeking to comply with the highest standards and references, as well as the applicable local and international legal provisions.

The financial and non-financial controls implemented to manage corruption and bribery risks are documented in the company's risk and process control matrices.

Additionally, as part of the treatment of corruption-bribery risks, the company implements due diligence processes with respect to its counterparties, in accordance with the provisions of Annex 4 of the "Manual for the Self-Control and Integral Risk Management System for Money Laundering, Terrorist Financing, and Financing of the Proliferation of Weapons of Mass Destruction".

Furthermore, when controls are not sufficient against the identified risk, or better controls cannot, or are not desired to be implemented, appropriate treatment actions can be defined against the corruption - bribery risks, so that it would be possible to terminate, interrupt, postpone, suspend, or withdraw in the face of any level of intolerable corruption-bribery risks.

#### **3.3.4. Monitoring corruption - bribery risk**


The purpose at this stage is to monitor and periodically review the anti-corruption - anti-bribery management subsystem in each of the stages that make up the cycle and their outcomes. As part of monitoring the effectiveness of the "compliance" controls (which include those associated with corruption - bribery) that are part of the Internal Control System, the actions conducted to monitor these risks are listed below:

- Continuous supervision (data analysis routine, preventive process monitoring, key risk indicators KRIs).
- Self-assessment of the internal Control System (process owners).
- Certification on the design and functioning of internal controls (Senior Management).
- Commitment to Transparency (declaration of all employees).
- Evaluations by independent third parties (design and operation of controls).
- Supervision of the Compliance Program (Audit and Risk Committee of the Board of Directors).
- Internal Audit Plan (IAP).

#### **3.3.5. Competency**

People who perform activities related to the Anti-Corruption – Anti-Bribery Management Subsystem must have the competencies determined by the organization; the latter must ensure that people are competent and, when applicable, take actions so that they acquire and maintain the necessary competence, evaluating the effectiveness of said actions.

Additionally, the positions that are most exposed to risks of corruption - bribery are identified, considering the nature of their functions and responsibilities, applying controls associated with specific monitoring routines with the aim of detecting deviations or warning signs that allow taking pertinent actions. This information is also considered for the design and execution of Prevention Plan activities

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(communication and focused training).

### 3.3.6. Awareness, training, and communication

To support awareness regarding corruption – bribery and provide appropriate training, Ecopetrol undertakes various formation, training, and communication actions.

The Corporate Vice-Presidency of Compliance designs and develops the Prevention Plan, which includes activities to prevent corruption – bribery<sup>27</sup>; some of these are:

- Regular training for members of the Board of Directors in the anti-corruption management subsystem. Formation, training, and permanent communication, be it general or specific, to senior management, to all workers, to areas of special risk, and to counterparties. These trainings, in addition to disseminating the ethical guidelines of the Ecopetrol Group, seek to promote the establishment of Compliance Programs for counterparties.

Periodic training is provided to Ecopetrol's critical positions, grouped according to the nature of the risks to which they are exposed, to achieve focused training that fits the characteristics of the activity performed.


Ecopetrol ensures that within the content of prevention activities focused on Anti-Corruption - Anti-Bribery issues, the following themes are considered, without limitation thereto:

- a) The anti-corruption - anti-bribery guidelines and the management of said risks in the organization and its obligation to comply with them;
  - b) The risk of corruption - bribery and the damage that may result from its materialization for the people and for the organization;
  - c) The circumstances in which corruption - bribery can occur in relation with your duties, and how to recognize them;
  - d) How to recognize and respond to corrupt requests or offers, with special emphasis on bribery;
  - e) How they can help prevent and avoid corruption - bribery;
  - f) Their contribution to the effectiveness of the Anti-Corruption - Anti-Bribery Management Subsystem;
  - g) How and to whom should concerns be reported.
- Induction for new workers on the ethical guidelines and principles of the organization. Mandatory virtual courses for training in integrity, transparency, ethics and compliance, fight against corruption – bribery, risk management and internal control.

This Manual is published on the Intranet and on the company's website, thus facilitating its consultation by all recipients.

### 3.3.7. Prevention measures

<sup>27</sup> For details on the formation, training, and communication activities, refer to the company's Prevention Plan.

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The Corporate Vice Presidency of Compliance will develop monitoring routines to ensure compliance with anti-corruption - anti-bribery regulations, such as, for example, periodic monitoring of the variation in the assets of the company's senior managers, who for the purposes of this manual will be the members of Board of Directors, the president, vice presidents, managers, and department heads.

To prevent and mitigate the occurrence of business and process risks associated with bribery and corruption, employees holding critical positions in the company, considered as such by virtue of their decision-making capacity, management of resources or access to information, and other criteria established by the VCU Monitoring Coordination, may be rotated in the fulfillment of their roles and responsibilities, according to the parameters set out by each area.

Additionally, as a general rule, the company will not make cash payments or recognitions to any third party, unless it is an exceptional situation that must be justified and documented by the area that requires said payment or recognition to be processed.

Likewise, the organization's counterparties are segmented in accordance with the "Instructions for the segmentation of sources and risk factors associated with Fraud, Corruption, Money Laundering, Terrorist Financing, and Financing of the Proliferation of Weapons of Mass Destruction" ( or the document that replaces it), to determine those that represent a greater risk for the company in terms of compliance and to take the corresponding measures.

### **3.3.8. Investigation procedures**

Ecopetrol has established the Ethical and Compliance Issues Management Process with the aim of assessing, evaluating, investigating, and closing reports on inappropriate facts or conduct that may constitute a violation of the Code of Ethics and Conduct and that require verification.


On the other hand, given the legal nature of Ecopetrol S.A., its workers hold the status of public servants<sup>28</sup><sup>28</sup><sup>29</sup> and, therefore, the rules contained in the General Disciplinary Code – Law 1952 of 2019 are applicable to them.

#### **3.3.8.1. How to act if you become aware of possible corruption/bribery events – obligation to report**

In the event that any recipient of the Code of Ethics and Conduct, and of this Manual, are aware of or subject of a corruption - bribery act, or attempted bribery, or are aware of contributions to political campaigns (with resources of Ecopetrol or even its workers in a personal capacity), or of facilitation or lobbying payments made with Ecopetrol resources, or are aware of any other type of act constituting possible corruption or violation of the Code of Ethics and Conduct, they must immediately report such situation to the Corporate Ethical and Compliance Affairs Management and/or the Disciplinary Instruction Management, as appropriate, through the channels set for receiving queries, dilemmas, and

<sup>28</sup> In accordance with the provisions of Sentences C-722 of 2007 and C-026 of 2009, which analyzed the enforceability of articles 7 and 8 of Law 1118 of 2006, respectively, the workers of Ecopetrol S.A. retain the status of public servants.

<sup>29</sup> In accordance with the provisions of article 265 of Law 1952 of 2019 - modified by article 73 of Law 2094 of 2021 -, said rule came into force as of March 29, 2022. The aforementioned provision sets out, the following: "The provisions provided for in this law, and those contained in Law 1952 of 2019, which are not subject to reform, will come into force nine (9) months after their promulgation. During this period, Law [234](#) of 2002, with its reforms, shall remain in full force. (...)".

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complaints<sup>30</sup>, without prejudice of resorting to the competent authorities.

No recipient should feel pressured to agree to this type of conduct under any circumstances and should be reminded that, under Colombian law, they are illegal.

It is worth to highlight that, 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 are aware<sup>31</sup>. Likewise, the Criminal Code in its 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.

Through the dilemmas, workers have the possibility of receiving advice from the Corporate Ethical and Compliance Affairs Management to know what to do if they face a situation that involves corruption - bribery.

Access to the ethics line is published on the website and is available to the organization's workers and other interested parties.

### **3.3.8.2. Whistleblower protection**

The channel receiving the complaint is managed by an independent third party, in such a way that the safe, confidential treatment of the information is guaranteed, and the identity of the complainant is protected, who may even opt for anonymity.

At Ecopetrol, retaliation against the whistleblower is rejected as indicated both in the Code of Ethics and Conduct and in the "Procedure for the Management of Ethical and Compliance Issues in the Ecopetrol Group" (or whatever modifies it, complement or replace) and even, in the case of threats against the physical integrity of the complainants, the "Guide for the Protection of Officials" (or the one that modifies, complements, or replaces it) is applied. Without prejudice to the foregoing, in accordance with the provisions of the legal system, support may be provided in the respective procedures before competent authorities, which will include aspects related to the protection of the complainant.

### **3.3.8.3. Obligation to collaborate with authorities**

Ecopetrol and its workers shall collaborate with the authorities when required in the investigations they conduct, in the timely attention of requirements and any other methodology that the authorities consider


<sup>30</sup>Currently, Ecopetrol's tools or mechanisms for internal and external reports are:

- Link Página Web/ Línea Ética [lineaetica.ecopetrol.com.co](http://lineaetica.ecopetrol.com.co)
- International Line (Free International Prefix) 018009121013
- National Line in Bogota 3103158600 or Extension 43900 for Ecopetrol employees.

<sup>30</sup> Before the workers of the Corporate Management of Ethical and Compliance Affairs and/or directly with the Corporate Vice Presidency of Compliance or in the Ethics and Compliance Office. All claims received through these channels are analyzed in accordance with the "Ethical Issues and Compliance Management Procedure in the Ecopetrol Group". This guarantees to the complainants that their identity will be kept confidential. Nevertheless, the claimant can, if so wishing, resort to these channels anonymously.

<sup>31</sup> Article 38 paragraph 25 of Law 1952 of 2019, or that which modifies, complements, or replaces it.



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relevant<sup>32</sup>.

#### **3.3.8.4. Sanctions**

Failure to comply with this Manual, or with the anti-corruption and anti-bribery regulations applicable to Ecopetrol, may give rise to contractual consequences and may be subject to disciplinary, criminal, labor, fiscal sanctions, or may lead to national and international authorities initiating investigations and imposing sanctions to the company or people who have failed to comply with anti-corruption - anti-bribery laws. Ecopetrol will provide all necessary collaboration in the investigations conducted by these authorities.

Similarly, to the extent that the termination of the corresponding acts, contracts or businesses is legally, economically, and contractually possible, relationships with counterparties will not be maintained in the event of non-compliance with this Manual.

#### **3.3.9. Monitoring, measurement, analysis, and evaluation of the Anti-Corruption - Anti-Bribery Risk Management Subsystem**

The Corporate Vice Presidency of Compliance will determine the methods of monitoring, measurement, analysis, and evaluation of the Anti-Corruption - Anti-Bribery Risk Management Subsystem, as well as the periodicity with which these activities will be carried out, the results of which will present a report to the Audit and Risk Committee of the Board of Directors and the Ethics Committee.

#### **3.3.10. Measurement of the Anti-Corruption Management Subsystem – Anti-Bribery**

The objectives are periodically reviewed by the Corporate Vice Presidency of Compliance as the area responsible for managing these risks, which is aligned with the business strategy and is deployed to the level of individual performance agreements (ADI) of the area's collaborators; this agreement incorporates "Ethical Always" into the organizational competences, which is periodically evaluated by all workers in the organization.

Further, the management of these risks and the Compliance Program are evaluated by national and international sustainable management indicators and radars such as: Dow Jones Sustainability Index, MCSI, Sustainalytics, Transparencia por Colombia, among others; they rely on data from the Integrated Sustainable Management Report and other public information.


Additionally, the Corporate Vice Presidency of Compliance leads other exercises aimed at measuring the management of the system, among which the Commitment to Transparency stands out.

##### **3.3.10.1. Review performed by the compliance function, senior management, and the governing body**

The Anti-Corruption - Anti-Bribery Management Subsystem will be subject to periodic review by the Corporate Vice Presidency of Compliance, the Ethics Committee and the Audit and Risk Committee of

<sup>32</sup> The mechanisms foreseen for the attention of authorities include, but without limitation, the "Procedure for the attention of requirements of the Office of the Comptroller General of the Republic" and the "Procedure for the attention of requirements of the Office of the Attorney General of the Nation" (or the one in its stead).



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the Board of Directors, in accordance with the provisions of section 3.2.2 Roles and Responsibilities of this Manual.

The result of the subsystem reviews will be reported, as appropriate, to the Compliance Officer, the Ethics Committee, and the Audit and Risk Committee of the Board of Directors.

### **3.3.10.2. Internal Audit to the Anti-Corruption – Anti-Bribery Management Subsystem**

The Anti-Corruption – Anti-Bribery Management Subsystem will be subject to internal audit <sup>33</sup> at planned intervals, to provide information about whether it complies with:

- Establish the organization's own requirements for the Anti-Corruption - Anti-Bribery Management Subsystem.
- Plan, establish, implement, and maintain one or more audit programs that include frequency, methods, responsibilities, planning, and reporting requirements, which must take into consideration the importance of the processes involved, and the results of the audit.
- Ensure compliance with the requirements of the ISO 37001 Standard, and whether it is implemented and maintained effectively.
- The result of the audits on the Subsystem will be reported, as appropriate, to the Compliance Officer, the Ethics Committee, and the Audit and Risk Committee of the Board of Directors.

### **3.3.10.3. Statutory Audit**

The statutory auditor must prepare a report at the close of each accounting year, reporting on the conclusions obtained in the process of evaluating compliance with the standards and instructions on the Anti-Corruption – Anti-Bribery Management Subsystem. In turn, they must advise the Legal Representative about any non-compliance, without prejudice to the obligation of reporting them to the Board of Directors or the body that acts in its stead.

### **3.3.11. Continuous Improvement of the Anti-Corruption - Anti-Bribery Management Subsystem**

Ecopetrol seeks continuous improvement to achieve the suitability, adequacy, and effectiveness of its Anti-Corruption - Anti-Bribery Management Subsystem. To this end, it develops improvement plans and takes appropriate actions to correct or mitigate those aspects that do not contribute to the objectives of the subsystem as a result of audits, improvement opportunities derived from the review by Management, or other sources of monitoring and review of the Anti-Corruption – Anti-Bribery Management Subsystem. The Anti-Corruption - Anti-Bribery Management Subsystem has a continuous improvement scheme aligned with the Compliance Program and its definition from a PHVA cycle, as illustrated herein below:

<sup>33</sup>An internal audit is performed by the organization itself or by an external party acting on its behalf (Section 3.20 – Chapter 3 Terms and Definitions – ISO Standard 37001 -2016). This audit may even be conducted by the Corporate Vice President of Compliance through an independent third party.


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Figure 4. PHVA Cycle


If, as a result of the review and improvement of risk management, Non-Conformities and/or Corrective Actions arise, these will be treated as follows:

- Immediate reaction related to non-conformities;
- Evaluation of the need for actions to eliminate the causes that have caused the non-conformity so that it does not occur again;
- Implementation of improvement actions;
- Review of the effectiveness of the actions taken;
- Making the changes that are necessary.

To manage non-conformities or improvement actions, the procedures established in the company's Quality Management System for this purpose will be followed.

### 3.3.12. Documented Information

Ecopetrol maintains the necessary documentation for the effectiveness of the Anti-Corruption – Anti-Bribery Management Subsystem. For the creation, updating, and control of the documentation covered by this Subsystem, the guidelines provided by Ecopetrol's Quality Management System are followed, which include, without limitation, provisions for the preparation, updating, and control of documents. (e.g.: the "Procedure for the Preparation and Control of Ecopetrol Documents" (or the one that modifies, complements, or replaces it). Annex No. 1 lists the main documents related to the Anti-Corruption – Anti-Bribery Management Subsystem.

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#### 4. CONTINGENCIES

NA

#### LIST OF VERSIONS

Previous Document			
Version	Date (mm/dd/yyyy)	Document Code and Title	Changes
New Document			
Version	Date (mm/dd/yyyy)	Changes	
1	12/14/2023	Document creation. Alignment with standard NTC ISO 37001: 2016. This document repeals SCI-M-001 Anticorruption Manual	

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<p><i>Document signed electronically, in accordance with the provisions of Decree 2364 of 2012, whereby article 7 of Law 527 of 1999 is regulated, regarding electronic signature, and other provisions are set out.</i></p> <p><i>To verify compliance with this mechanism, the system generates an electronic report showing the traceability of the review and approval actions by the accountable parties. If this information is to be verified, request said report from the Service Desk.</i></p>	