

IDENTIFICATION AND EVALUATION OF HUMAN RIGHTS IMPACTS OF TGI ACTIVITIES IN 8 MUNICIPALITIES OF INFLUENCE

Final Executive Report

May 29, 2024



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1. Introduction.

As part of the fulfillment of its duty to respect human rights, **TGI** signed a contract with the Ideas for Peace Foundation (hereinafter **FIP**) to carry out, within the framework of its due diligence process, a human rights impact analysis of its operations in 4 prioritized impact areas (supply chain, supply chain, clients, work practices and communities) in the municipalities of Riohacha (La Guajira), Mariquita (Tolima), Pradera (Valle del Cauca), Villavicencio (Meta), Páez and Briceño (Boyacá), Marsella (Risaralda) and San Pablo (Southern Bolívar).

The process of this assessment is based on the United Nations Guiding Principles on Business and Human Rights (hereinafter UNGPs) and its corresponding Protect, Respect and Remedy Framework, which establish that companies must proceed with due diligence to comply with their duty to respect human rights and identify, prevent, mitigate and respond to the negative consequences of its activities on the rights of people related to its operations, including the communities in its area of influence, its workers and contractors. It is worth mentioning that this due diligence also implies that the company covers not only the negative consequences derived directly from its operation, but also those "that are directly related to its operations, products or services provided by its business relationships".

In this impact assessment, **11** negative impacts or consequences that TGI's activities and/or those of its contractors and other business partners may generate or are causing on the effective enjoyment of rights by rights holders related to the operation of the oil field in the prioritized municipalities were identified and assessed.

This executive summary sets out through a timeline the steps taken by the **FIP** to identify the impacts on the effective enjoyment of human rights in the company's area of influence; a list of the impacts with the affected rights holders and assessed according to their severity (i.e., their scale, scope and irremediable nature following the framework of the UNGPs). This value is expressed as a percentage and it is important to clarify that the closer it is to the number 100, the more adverse effects are generated or could be generated on human rights. This report also includes the probability of occurrence of each impact and the level of residual risk, which was identified through the methodology of TGI's Risk Management Model with the Risk Specialist Professional, the Sustainability Professional and the related areas of the company. Finally, the last part of the document includes the 11 impacts identified and evaluated by the FIP, which include the type of impact (actual, potential – risks – and perceived), the type of involvement¹ of **TGI** and the main actions of their respective action plans.

The criteria used in the framework of the inherent assessment respond to the methodology developed by the **IFJ** to carry out exercises to analyze impacts and gaps in human rights based on

¹ For this purpose, see Guiding Principle No. 13 which establishes three ways in which a company can be related to human rights impacts: a) it can cause them through its own activities, b) it can contribute to them through its own activities and c) it may, although it does not cause the negative consequences or contribute to them, is involved because they are caused by an entity with which it has a business relationship. See in: Office of the United Nations High Commissioner for Human Rights (2012). *The Responsibility of Business to Respect Human Rights: A Guide to Interpretation*. Available at: https://www.ohchr.org/Documents/Publications/HR.PUB.12.2_sp.pdf (Taken May 27, 2024).



what is established by the United Nations Guiding Principles for the definitions of scale, scope and irremediability. Below, we make a general description that allows you to understand it:

- **Scale:** It refers to "the seriousness of the consequences"² and is assessed based on three specific items related to the actual, potential or perceived impacts on the effective enjoyment of rights by the holders of the same; their implications; and the level of the impact, with special emphasis on whether the impacted population belongs to vulnerable groups.
- **Irremediable character:** It indicates "the limitation of the ability to return those affected to a situation at least equal, or equivalent, to the situation in which they were before suffering the negative consequences. For these purposes, financial compensation is only relevant to the extent that it can facilitate that process".³
- **Scope:** It is defined as the number of people who are or may be affected; it has no statistical purpose and is not measured from the total number of people that make up each of the municipalities in the area of influence, so the analysis is carried out on an approximate universe defined from criteria developed by the FIP in its capacity as an expert (hence the analysis of each impact does not refer to the number of people in the area of influence). of people impacted or the percentages compared to the total number of people that make up the municipalities or communities). In addition, it should be noted that the classification of the scope is aggravated depending on the conditions of vulnerability and marginalization presented by the holders of impacted rights, so special attention is paid to the effects on women, minors, ethnic communities and peasant communities in the area of influence.
- **Probability:** Possibility of materializing an adverse consequence on the effective enjoyment of rights. The steps a company takes to conduct due diligence should be commensurate with the severity and likelihood of the negative impact. Likewise, it must prioritize the impacts according to their severity and probability⁴.
- **Residual valuation:** Level of impact that can be generated on human rights with the controls adopted by the company⁵.

² Office of the United Nations High Commissioner for Human Rights (2012). *The Responsibility of Business to Respect Human Rights: A Guide to Interpretation*. Available at: https://www.ohchr.org/Documents/Publications/HR.PUB.12.2_sp.pdf (Retrieved May 27, 2024). Page 23

³ Ibid.

⁴ OECD (2018) OECD Due Diligence Guidance for Responsible Business Conduct. Available at: [333cdf8d32af51b6c07d5f76b94720795d4be7fa.pdf \(business-humanrights.org\)](https://www.oecd.org/due-diligence/guidance-for-responsible-business-conduct/) (Taken on May 27, 2024).

⁵ This assessment was carried out based on the methodology of the TGI Risk Management Model.

2. Scope of TGI's Human Rights Impact Assessment



***Titulares de derechos consultados**

- Mujeres, población indígena, población afrodescendiente, autoridades locales, contratistas, clientes, colaboradores y comunidades locales

***Municipios priorizados**

- Riohacha (La Guajira), Mariquita (Tolima), Pradera (Valle del Cauca), Villavicencio (Meta), San Pablo (Sur de Bolívar), Marsella (Risaralda) y Páez y Briceño (Boyacá)

***Áreas de impacto evaluadas**

- Comunidades, cadena de suministro, clientes y prácticas laborales.

3. Human Rights Impacts of TGI

Table 01. Human rights impacts identified for TGI activities in Riohacha (La Guajira), Mariquita (Tolima), Pradera (Valle del Cauca), Villavicencio (Meta), Páez and Briceño (Boyacá), Marsella (Risaralda) and San Pablo (Southern Bolívar).

#	Right Block	Impact Area	Impact on human rights	Type of impact	Type of involvement	Residual Risk Level
1	Healthy environment and health	COMMUNITIES SUPPLY CHAIN	Environmental effects associated with the presence of TGI in the municipalities and the maintenance processes carried out by contractor companies that affect the right to a healthy environment of the communities and owners of areas where the gas pipeline passes.	REAL	CAUSE	LOW
2	Access to information and participation	COMMUNITIES SUPPLY CHAIN	Communication gaps between TGI and its contractors and the communities in the area of influence, which affect their relationship and limit the effective enjoyment of the rights to information and participation of rights holders for the mitigation and prevention of risks related to the gas pipeline.	REAL	CAUSE	MODERATE
3		CUSTOMERS SUPPLY CHAIN COMMUNITIES	Insufficient information from customers, suppliers and contractors to rights holders that can increase the risk of infringements of their rights.	REAL	RELATION	LOW
4	The right to an adequate standard of living and to the continuous improvement of living conditions	COMMUNITIES SUPPLY CHAIN	Low hiring of local labor by TGI and its contractor companies that affects labor rights and the income and livelihoods of the population in its area of direct influence.	PERCEIVED	CONTRIBUTION	LOW
5		COMMUNITIES SUPPLY CHAIN	TGI operational and/or pipeline maintenance activities by suppliers and contractors that cause physical and environmental damage to property infrastructure and community environments located near or on the company's right-of-way.	REAL	CONTRIBUTION	MODERATE
6	Indigenous peoples	COMMUNITIES SUPPLY CHAIN	Direct and indirect activities of TGI and other companies in the extractive sector that affect the cultural rights of indigenous communities.	REAL	CONTRIBUTION	MODERATE
7		COMMUNITIES	Lack of prior consultation processes and/or extemporaneous prior consultation processes with	PERCEIVED	CONTRIBUTION	LOW



			indigenous and Afro-descendant communities, which affects their uses and customs.			
8	Decent work and working conditions	WORK PRACTICES	High workload that limits the right to rest and enjoyment of free time of TGI administrative and operational employees.	REAL	CAUSE	HIGH
9		LABOR PRACTICES SUPPLY CHAIN	Practices of TGI contractor and supplier companies that ignore the legal labor obligations, generating inadequate working conditions for their workers.	REAL	RELATION	LOW
10	Life and personal integrity and security	COMMUNITIES	Presence of TGI infrastructure that generates a sense of risk in the surrounding communities and could affect their physical and mental health.	POTENTIAL	CONTRIBUTION	LOW
11		LABOR PRACTICES SUPPLY CHAIN	Situations of social conflict within the municipalities where TGI operates that affect the safety of direct and indirect workers of the company.	REAL	CONTRIBUTION	LOW

Table 02. Areas of GIT related to the human rights impacts identified.

#	Impact on human rights	Related Areas
1	Environmental effects associated with the presence of TGI in the municipalities and the maintenance processes carried out by contractor companies that affect the right to a healthy environment of the communities and owners of areas where the gas pipeline passes.	Sub. Environmental, Directorate of Communications, Sub. Social, Contract Affairs and Supply Management
2	Communication gaps between TGI and its contractors and the communities in the area of influence, which affect their relationship and limit the effective enjoyment of the rights to information and participation of rights holders for the mitigation and prevention of risks related to the gas pipeline.	Communications Sub. Social, IT, Document Management, Human Talent
3	Insufficient information from customers, suppliers and contractors to rights holders that can increase the risk of infringements of their rights.	Sustainability Management, Contract Affairs and Supply Management, Commercial Management, Contract Supervisors
4	Low hiring of local labor by TGI and its contractor companies that affects labor rights and the income and livelihoods of the population in its area of direct influence.	Contract Affairs and Procurement Management, Contract Supervisors, IT, Compliance Management, Sustainability Management, Social Sub, Human Talent
5	TGI operational and/or pipeline maintenance activities by suppliers and contractors that cause physical and environmental damage to property infrastructure and community environments located near or on the company's right-of-way.	Contract Affairs and Procurement Management, Sustainability Management, Contract Supervisors
6	Direct and indirect activities of TGI and other companies in the extractive sector that affect the cultural rights of indigenous communities.	Social Sub, Contract Affairs and Supply Management, Communications, Sustainability Management
7	Lack of prior consultation processes and/or extemporaneous prior consultation processes with indigenous and Afro-descendant communities, which affects their uses and customs.	Social Sub., Communications, Legal Management, O&M
8	High workload that limits the right to rest and enjoyment of free time of TGI administrative and operational employees.	Human Talent, IT, Coexistence Committee, Sub-SST, Performance and Planning, Sustainability Management, Contractual Affairs and Supply Management
9	Practices of TGI contractor and supplier companies that ignore the legal labor obligations, generating inadequate working conditions for their workers.	Sub. SST, Contract Affairs and Supply Management, Sustainability Directorate, Administrative Services Directorate, Social Sub.
10	Presence of TGI infrastructure that generates a sense of risk in the surrounding communities and could affect their physical and mental health.	O&M Management, Social Sub., OSH Sub, Environmental Sub
11	Situations of social conflict within the municipalities where TGI operates that affect the safety of direct and indirect workers of the company.	Sub. SST, Contract Affairs and Procurement Management, Physical Security, Communications, Contract Supervisors, Government and Environment Affairs Management



3.1. Human rights impacts identified for TGI activities in 8 municipalities of influence

Impact 1: Environmental effects associated with the presence of TGI in municipalities and maintenance processes carried out by contractor companies that affect the right to a healthy environment of communities and owners of areas where the pipeline passes.

Characterization and inherent assessment (without controls) of the impact with the FIP

Methodology:

TGI Impact Area	Type of impact	Type of company involvement/responsibility	Location of impact	Scale	Scope	Irremediable character	Gravity
Communities Supply chain	Real	Cause	Páez, Riohacha, São Paulo, Villavicencio, Marseille and Briceño	50%	50%	83%	61%

Inherent (unchecked) assessment of impact with the TGI Methodology:

INHERENT HUMAN RIGHTS VALUATION (FIP)	INHERENT HUMAN RIGHTS ASSESSMENT BY IMPACT (APPROVED)	INHERENT PROBABILITY OF HUMAN RIGHTS BY IMPACT	INHERENT RISK LEVEL
61%	4	2	HIGH

Sustainable development and environmental protection are crucial aspects today, especially in industries linked to the extraction and distribution of natural resources. In Colombia, this challenge is particularly relevant due to the richness and diversity of its ecosystems, as well as the vulnerability of the communities that live in the areas of influence of these operations.

The Human Rights Policy of the Mining-Energy Sector of the Ministry of Mines and Energy of the Government of Colombia establishes that companies must not only focus on the economic impact that their operation can generate, but also on all the social, cultural and environmental transformations that the implementation of a project related to the industry brings with it in the different national territories⁶.

Among the contextual conditions that contribute to the materialization of this impact is the correlation and causality in some cases, between the development of operational and maintenance activities of TGI and gas leaks that, combined with climate change phenomena, generate significant effects on the rights of communities.

According to the information collected by the IFJ in interviews and focus groups with the community and local authorities, the causes associated with the environmental impact of TGI are related to the deforestation caused by the arrival of the company in the municipalities and the maintenance

⁶ Ministry of Mines and Energy (n.d.). Human Rights Policy in the Mining and Energy Sector. Available at: <https://www.anm.gov.co/sites/default/files/DocumentosAnm/politica-derechos-humanos-sector-minero-energetico.pdf> (accessed April 23, 2024).



activities of contractors, as well as the incidents of gas leaks that have generated fires and damage to the environment. These situations have led to a decrease in fauna and flora, the deterioration of the landscape and the impact on ecosystems and water sources, affecting the right to a healthy environment and the quality of life of the communities.

It is essential to consider that a significant part of the communities affected by this impact are of indigenous descent, which makes them especially vulnerable subjects and, therefore, deserving of special protection⁷. These communities face significant shortages in terms of their basic needs and maintain cultural practices that make them even more susceptible to environmental impacts⁸. It is essential to recognize their right to conserve and protect the environment on their lands, which should be a priority when designing and implementing remediation and remediation measures.

Residual Risk Assessment (with controls) of the impact:

ASSESSMENT WITH HUMAN RIGHTS IMPACT CONTROLS	PROBABILITY WITH CONTROLS	RESIDUAL RISK LEVEL
1	2	LOW

Action Plan

1. Strengthen the environmental management of TGI to mitigate the environmental effects in the municipalities where the pipeline operates, guaranteeing the right to a healthy environment of the communities and owners of the affected areas.
 - 1.1. Approve and integrate TGI's biodiversity strategy into all of the company's operations, in order to promote the conservation and sustainable use of biodiversity in the areas of its operation. **(Responsible area: Sub. Environmental).**
 - 1.2. Continue to implement comprehensive strategies for offsetting GHG emissions, promoting measures that go beyond the acquisition of carbon credits and encouraging the adoption of sustainable technologies and practices. **(Responsible area: Sub. Environmental).**
2. Strengthen dialogue and collaboration with local communities and environmental organizations on the prevention and mitigation measures of the current LDC.
 - 2.1. Strengthen TGI's communication channels to inform local communities of existing management mechanisms and measures, thus facilitating the reporting of possible environmental impacts and ensuring effective and transparent communication and accountability. **(Responsible area: Environmental Sub. and Communications Directorate).**
 - 2.2. Engage the vision and knowledge of local communities about native species and the environment in the identification, monitoring and mitigation of environmental problems, thus strengthening their active participation and the promotion of sustainable practices. **(Responsible area: Environmental Sub. and Social Sub).**
3. Reinforce compliance with the environmental measures established by TGI and its P&Cs and carry out an exhaustive review of the effects reported by local communities, in order to guarantee effective control and rigorous monitoring of compliance with them.

⁷UN (2007). *Rights of Indigenous Peoples*. Available at: https://www.un.org/esa/socdev/unpfii/documents/DRIPS_es.pdf (Taken on May 22, 2024).

⁸ Ibid.



- 3.1. Strengthen the monitoring of corrective measures in the areas affected by the operations of TGI and its P&Cs, in accordance with the LDCs and environmental criteria adopted. **(Responsible area: Sub. Environmental and Management of Contractual Affairs and Supply).**
- 3.2. Strengthen the monitoring and control mechanisms for P&C to ensure compliance with the environmental policies and practices established by TGI, as well as the proper management of the effects reported by local communities. **(Responsible area: Environmental Sub. / Social Management Sub. and Internal Audit Management).**

Impact 02: Communication gaps between TGI and its contractors and the communities in the area of influence, which affect their relationship and limit the effective enjoyment of the rights to information and participation of rights holders for the mitigation and prevention of risks related to the gas pipeline.

Characterization and inherent assessment (without controls) of the impact with the FIP

Methodology:

TGI Impact Area	Type of impact	Type of company involvement/responsibility	Location of impact	Scale	Scope	Irremediable character	Gravity
Supply Chain Communities	Real	Cause	Marseille, Mariquita, Riohacha, San Pablo, Villavicencio, Páez, Briceño and Pradera	67%	100%	50%	72%

Inherent (unchecked) assessment of impact with the TGI Methodology:

INHERENT HUMAN RIGHTS VALUATION (FIP)	INHERENT HUMAN RIGHTS ASSESSMENT BY IMPACT (APPROVED)	INHERENT PROBABILITY OF HUMAN RIGHTS BY IMPACT	INHERENT RISK LEVEL
72%	4	3	HIGH

The right to information, based on Article 19 of the Universal Declaration of Human Rights and Article 19 of the International Covenant on Civil and Political Rights, is fundamental to freedom of expression, including the freedom to seek, receive and impart information. This right is reinforced in the business context by Guiding Principle 21 of the United Nations Guiding Principles on Business and Human Rights (UNGPs), which states that companies must communicate externally the measures taken to address negative human rights consequences⁹. Likewise, the OECD Due Diligence Guidance underlines the need for two-way engagement with stakeholders, which involves the exchange of relevant information in an accessible and culturally sensitive manner¹⁰.

⁹ Office of the United Nations High Commissioner for Human Rights (2011). *Guiding Principles on Business and Human Rights. Implementation of the United Nations framework to "protect, respect and remedy"*. Available in: https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_sp.pdf

¹⁰ OECD (2018). *OECD Due Diligence Guidance for Responsible Business Conduct*. Available in: <https://mneguidelines.oecd.org/Guia-de-la-OCDE-de-debida-diligencia-para-una-conducta-empresarial-responsable.pdf>



In the oil and gas sector, IPIECA's Guide to Sustainability Reporting highlights that the success and sustainability of companies depend on the effective participation of the community, fostering mutual respect and trust. This makes it possible to identify, prevent and address adverse human rights impacts and minimise risks related to disruption of operations, delays and legal challenges.

In the eight municipalities of influence of TGI, barriers were identified that limit access to information on the company's activities and the risks of its gas pipeline, such as insufficient media infrastructure and low penetration of Information and Communication Technologies (ICT).

Regarding the management of the company, the communities stated that the spaces for socialization and training on risks and emergencies are insufficient. In Marseille and Briceño, the lack of human rights socialization meetings or emergency drills was reported for a long time. This is because the lack of presence of GIT in the territories and the intermittency of visits by social professionals limit effective communication when concerns arise. In Marseille, members of a village mentioned that the company has only appeared twice in the last four years. The high workload and the assignment of multiple territories to social professionals make it difficult to provide complete coverage.

In addition to this, the PQRS mechanism, intended to allow the communication of concerns, is little known, with the social professional being the only available channel, without decision-making power, which causes a feeling of delays in responses. In Marseille, Villavicencio, Riohacha and Páez, the communities also stated that communication is centralized in the leaders, generating information asymmetries and a perception of little transparency in some of them.

Finally, a lack of socialization and adequate information on the part of TGI suppliers and contractors towards the communities was also identified, generating mistrust due to non-compliance with the agreements on the state of the intervened properties. This deficiency in communication contributes to information gaps and negatively affects the relationship and perception of transparency by the communities in the area of influence.

The interviews showed that rights holders have a lack of information about the risks of the pipeline and the management measures in case of emergency. The intermittent presence of TGI and the lack of information from suppliers and contractors affect their right of access to information. The centralization of information in the hands of leaders and the lack of knowledge of the PQRS mechanisms limit the right to participation, increasing the risk to physical and personal integrity due to ignorance of the impacts and risks of the gas pipeline and the management measures in an emergency. These gaps can also cause the company to fail to respond in a timely manner to situations that put communities at risk.

Residual impact assessment with the TGI Methodology:



ASSESSMENT WITH HUMAN RIGHTS IMPACT CONTROLS	PROBABILITY WITH CONTROLS	RESIDUAL RISK LEVEL
3	1	MODERATE

Action Plan

1. Strengthen communication with communities about the risks associated with the pipeline and its management plan.
 - 1.1. Implement methodologies for the socialization of information on management measures and risks that generate recall and that use appropriate language according to the audience to communicate information. **(Responsible area: Communications).**
 - 1.2. Continue to develop and implement the "Sumemos" application to establish greater interaction with community leaders and allow them to deliver information "in real time" to them. **(Responsible area: Communications).**
2. Generate mechanisms so that communities in dispersed rural areas and without internet access in the areas of influence of TGI can interpose PQRS if they require it.
 - 2.1. Evaluate the possibility of expanding the channels of attention for face-to-face and verbal PQRS, taking into account that there may be accessibility limitations to those that are currently established. **(Responsible area: Sub. Social).**
3. Increase the presence of TGI in the territories to improve relations and generate greater interaction.
 - 3.1. Evaluate the possibility of hiring or hiring additional personnel (at least one person) in the field to increase the frequency of interactions between the company and communities. **(Responsible area: Human Talent Management).**

Impact 03: Insufficient information from customers, suppliers and contractors to rights holders that can increase the risk of violations of their rights.

Characterization and inherent assessment (without controls) of the impact with the FIP

Methodology:

TGI Impact Area	Type of impact	Type of company involvement/responsibility	Location of impact	Scale	Scope	Irremediable character	Gravity
Supply Chain Clients Communities	Real	Relation	Marseille, Mariquita, Riohacha, San Pablo, Villavicencio, Páez, Briceño and Pradera	33%	50%	50%	44%

Inherent (unchecked) assessment of impact with the TGI Methodology:



INHERENT HUMAN RIGHTS VALUATION (FIP)	INHERENT HUMAN RIGHTS ASSESSMENT BY IMPACT (APPROVED)	INHERENT PROBABILITY OF HUMAN RIGHTS BY IMPACT	INHERENT RISK LEVEL
44%	3	3	MODERATE

TGI has taken a proactive approach towards responsible business conduct by integrating human rights policies into its operations that extend to its value chain within the framework of its business relationships. This commitment is based on the need to comply with the UNGPs and OECD guidelines, which promote and establish that initiatives aimed at this chain are appropriate, favoring an ideal operational operation that respects human rights for customers, suppliers and contractors¹¹. In addition, TGI has adhered to Resolution 80 of 2019 of the Energy and Gas Regulatory Commission (CREG),¹² which establishes market behavior rules to ensure transparency and protection of users' interests, aligning with international human rights standards.

According to the Superintendence of Industry and Commerce, the asymmetry of information between producers/suppliers and consumers in Colombia makes it difficult for consumers to make informed decisions, affecting equality and autonomy in contractual relations¹³, causing consumers to experience limitations in their rights due to the lack of access to adequate information about the products and services they purchase. Such is the case with Vanti, a TGI client, since, according to the evidence collected by the IFJ during its field visit in São Paulo, negative impacts have been generated on the human rights of users as a result of the lack of clear information in their billing, additional charges not authorized by users and service interruptions.

It is important to mention that, even though TGI is not generating the impact and it is Vanti's duty to manage it properly, according to the OECD Due Diligence Guidelines for Responsible Business Conduct, within the framework of the integration of expectations and policies of responsible business conduct in business relationships, companies must identify and address obstacles in their own management that may prevent suppliers and business partners from adequately implement these policies and carry out their human rights due diligence.

In this regard, the UNGPs also establish that "A company that contributes or may contribute to generating negative consequences on human rights must take the necessary measures to put an end to or prevent such a situation and exert its influence to mitigate other consequences to the greatest extent possible" and that "If the company has influence to prevent or mitigate the negative consequences, he must exercise it. And if you lack influence over the entity in question, you can find

¹¹ United Nations (2011). Guiding Principles on Business and Human Rights. Available at: [Kps://www.ohchr.org/sites/default/files/documents/publicaEons/guidingprinciplesbusinesshr_sp.pdf](https://www.ohchr.org/sites/default/files/documents/publicaEons/guidingprinciplesbusinesshr_sp.pdf) (Taken May 22, 2024).

¹² TGI. (n.d.) CREG 080 Declaration and Procedures of 2019. Available at: <https://www.tgi.com.co/declaracion-y-procedimientos-creg-080-de-2019> (Taken on May 22, 2024).

¹³ Superintendence of Industry and Commerce. (2017). Consumer Protection in Colombia. Available at: [hKps://www.sic.gov.co/sites/default/files/files/Nuestra EnEdad/Publicaciones/Proteccion al Consumidor en Colombia julio27 2017\(1\).pdf](https://www.sic.gov.co/sites/default/files/files/Nuestra%20EnEdad/Publicaciones/Proteccion%20al%20Consumidor%20en%20Colombia%20julio27%202017(1).pdf) (Taken on May 22, 2024).



a way to empower it. It can increase its influence, for example, by offering capacity-building or other incentives, or by collaborating with other actors."

Thus, in the present impact, the causes associated with TGI's business management that are related to it include the lack of information and training on human rights for TGI's customers, suppliers and contractors and the challenges in internal and external communication on the company's policies in this area. The customer surveys¹⁴ applied by the IFJ showed insufficient dissemination of information on human rights management by TGI, reflecting a challenge in the effective transmission of the company's expectations to its value chain that are included in the policies, guidelines and annexes of the contracts signed within the framework of the commercial relationship. Likewise, suppliers and contractors interviewed by the IFJ identified these information gaps on TGI's human rights management and the lack of human rights capacity in its own activities.

Strengthening the monitoring of TGI's value chain is essential to ensure compliance with its human rights policies and mitigate negative impacts. The lack of clear information and service interruptions by Vanti have significantly affected users in São Paulo, generating additional costs, impact on livelihoods and mistrust. In addition, the lack of communication about maintenance activities by suppliers and contractors has increased conflicts with rural communities and the exposure to situations of risk to the safety of those who are at sites adjacent to the works¹⁵. Improving monitoring will ensure that all members of TGI's value chain comply with human rights policies, strengthening human rights due diligence.

Residual Risk Assessment (with controls) of the impact:

ASSESSMENT WITH HUMAN RIGHTS IMPACT CONTROLS	PROBABILITY WITH CONTROLS	RESIDUAL RISK LEVEL
2	1	LOW

Action Plan

1. Strengthen the communication process on human rights policies and expectations with TGI's clients, suppliers and contractors
 - 1.1. Design a strategy for the dissemination and socialization of TGI's human rights policies and procedures that are included as part of the contracts signed between the company and its business partners. **(Responsible area: Sustainability Directorate and Contractual Affairs and Supply Management).**
 - 1.2. Carry out periodic surveys according to the duration of the business relationship to evaluate and verify that the business partner was indeed informed and read the documentation on human rights sent by TGI. **(Responsible area: Commercial Management and Contractual Affairs and Supply Management).**
2. Install capabilities for responsible business conduct in TGI's business partners.

¹⁴ 4 clients were interviewed, this sample did not seek to be statistically significant.

¹⁵ See impacts 1, 2, 5 and 9.



- 2.1. Share with clients, suppliers, and contractors technical inputs that allow them to strengthen their own capacities for the development of human rights due diligence. **(Responsible area: Sustainability and Commercial Management and Contractual Affairs and Supply Management).**
- 3. Strengthen human rights follow-up and monitoring processes with trading partners.
 - 3.1. Include in the performance evaluations of suppliers and contractors, criteria associated with human rights and the integration of good practices in the field of human rights in accordance with the guidelines of TGI's policies on the matter. **(Responsible area: Sustainability Management and Contract Supervisors).**

Impact 4: Low hiring of local labor by TGI and its contractor companies that affects labor rights and the income and livelihoods of the population in its area of direct influence.

Characterization and inherent assessment (without controls) of the impact with the FIP Methodology:

TGI Impact Area	Type of impact	Type of company involvement/responsibility	Location of impact	Scale	Scope	Irremediable character	Gravity
Communities Supply chain	Perceived	Contribution	Páez, Marsella Mariquita, Riohacha, San Pablo, Villavicencio and Briceño	50%	75%	67%	64%

Inherent (unchecked) assessment of impact with the TGI Methodology:

INHERENT HUMAN RIGHTS VALUATION (FIP)	INHERENT HUMAN RIGHTS ASSESSMENT BY IMPACT (APPROVED)	INHERENT PROBABILITY OF HUMAN RIGHTS BY IMPACT	INHERENT RISK LEVEL
64%	4	3	HIGH

According to the OECD Guidance for Multinational Enterprises, companies must respect human rights in all their operations, including the right to work. In addition, they must contribute to the economic, social and environmental progress of the communities in which they operate, which implies special consideration towards the recruitment of local labour and the development of local labour as a way to support economic development and promote their labour rights¹⁶.

As a result of the fieldwork of the FIP, a generalized perception was identified in the communities of the municipalities subject to this analysis related to the low hiring of local labor, as well as the exclusive hiring of people from the municipal capitals, which has been related to the absence of job opportunities for people who are part of rural areas. There are external factors that contribute to the generation of the impact related to the high levels of poverty, unemployment and scarcity of educational programs related to the industry in the rural areas of the municipalities to which these

¹⁶ OECD (2011). OECD Guidelines for Multinational Enterprises. Available in: <https://www.oecd.org/daf/inv/mne/MNEguidelinesESPAÑOL.pdf> (accessed March 26, 2024)



communities belong, who consider that TGI and other companies in the sector that are in the territory must compensate and contribute to overcoming these gaps by operating in their territory.

Regarding the causes related by the community to the management of TGI, it was evident that because the current operation of TGI is in the transport stage, there is a greater demand than supply of labor. In other words, despite the high labor demand of the communities, the company does not have many vacancies available in the short term, which is quite contrasted by the communities with the high supply of the oil companies that are in TGI's area of influence.

Regarding the qualification requirements, TGI has guidelines¹⁷ that provide its suppliers and contractors with the necessary basic requirements for the application and contracting processes, which in turn give them the power to autonomously define the profiles they require for the performance of the tasks. Although some of these requirements are part of national legislation, the communities perceive them as an additional impediment to being able to access employment under equal conditions, limiting their inclusion and participation in jobs of skilled labor. Some suppliers and contractors interviewed also stated that TGI's requirements in the process of hiring labor often do not coincide with the reality of the territories, so that, in some cases, they cannot hire local labor.

Finally, the interviews also showed that information on job vacancies does not adequately reach communities in rural areas, since they are often published in digital media that are inaccessible to them or that they prefer not to use due to ignorance or are not communicated to all members of the areas of influence. which has contributed to widening the inequality in opportunities and conflicts between the communities in the area of influence for access to vacancies.

These factors have generated discontent within the communities, causing a perception of affectation to the right to income and decent livelihoods of the communities, to work and to their quality of life, since they consider that the company does not carry out the hiring in the expected way. Regarding access to information and in the face of gaps in the mechanisms used by TGI to communicate vacancies, these dynamics contribute to generating asymmetries that, within the framework of corporate due diligence, affect the right to effective participation of communities in access to and application for job positions.

Residual impact assessment with the TGI Methodology:

ASSESSMENT WITH HUMAN RIGHTS IMPACT CONTROLS	PROBABILITY WITH CONTROLS	RESIDUAL RISK LEVEL
2	2	LOW

Action Plan

1.1. Strengthen the procurement policies and procedures that are currently implemented by TGI for suppliers and contractors, as well as their appropriation:

1.1 Update internal hiring policies and manuals, which include incentives for contractors who exceed the "minimum" or "mandatory" quota for hiring local labor. **(Responsible area: Compliance Directorate / Contractual and Supply Affairs Management / Supervisors or contract auditors).**

¹⁷ According to TGI's OSH, Social and Environmental Manual, suppliers and contractors are obliged to hire all local unskilled labor and must give priority to formal labor in the area of influence of the project, work, or activity.



- 1.2 Strengthen the capacities of the TGI team in charge of the supply chain, in this case contract supervisors and management of contractual and supply matters, based on training and/or awareness sessions on the OSH Manual for contractors and suppliers, also incorporating a human rights approach. **(Responsible area: Contractual Affairs and Supply Management/ Supervisors or contract auditors / Sustainability Directorate).**
- 1.3 Strengthen the training and awareness processes from TGI to supplier and contractor companies on the importance of hiring local labor and the benefits that this can bring not only to the socioeconomic conditions of the communities, but also to the long-term success in the implementation of the projects. **(Responsible area: Assurance Management/ Sub-OHS)**
- 1.2. Strengthen communication about employability with communities:
 - 2.1 Share the different stages of implementation and contracting of the projects in the *Sumemos* application and prepare posters that include information on vacancies, which can be located in strategic places such as mayor's offices and/or personerías, or virtual distributed in digital channels such as social networks, media, etc. **(Responsible area: Sub. Social).**
- 1.3. To contribute to the labor insertion of communities in the territory:
 - 3.1 Implement or leverage technical and technological training and training programs in alliance with local educational institutions and SENA, to improve the skills and competencies of the local workforce in those areas of work required by TGI and its contractors at different stages of the project and promote their participation in the selection processes. It is recommended to involve other companies in the sector located in the territories of influence to leverage these initiatives and promote their participation as a good practice in human rights. **(Responsible area: Human Talent).**

Impact 5: TGI operational and/or pipeline maintenance activities by suppliers and contractors that cause physical and environmental damage to property infrastructure and community environments located near or on the company's right-of-way.

Characterization and inherent assessment (without controls) of the impact with the FIP

Methodology:

TGI Impact Area	Type of impact	Type of company involvement/responsibility	Location of impact	Scale	Scope	Irremediable character	Gravity
Communities Supply Chain	Real	Contribution	Páez, San Pablo, Riohacha and Briceño	83%	25%	67%	58%

Inherent (unchecked) assessment of impact with the TGI Methodology:

INHERENT HUMAN RIGHTS VALUATION (FIP)	INHERENT HUMAN RIGHTS ASSESSMENT BY IMPACT (APPROVED)	INHERENT PROBABILITY OF HUMAN RIGHTS BY IMPACT	INHERENT RISK LEVEL
58%	3	4	HIGH

The right to an adequate standard of living, recognized as fundamental in Article 25 of the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights (ICESCR), encompasses access to food, safe drinking water, housing, health care, education and social



security¹⁸. This principle underlines that the development of large-scale infrastructure and/or projects should contribute to, rather than impair the enjoyment of, this right, and that adequate housing should ensure habitability, which implies physical security, sufficient space, and protection against environmental factors and other health risks and structural ¹⁹hazards. This right is essential for the stability and security of individuals, and is a key component for the well-being and dignity of right holders.

In the prioritized municipalities, high rates of rurality and poverty are observed, and many communities depend mainly on agriculture and livestock for their subsistence. These activities are affected by adverse environmental and climatic conditions, which prevail in these territories, which contributes to the materialization of the present impact.

According to the information collected in the field, the installation and maintenance of the TGI gas pipeline in these prioritized areas have had negative impacts on the communities. These range from deterioration of water sources, deforestation and structural damage to homes, to additional damage to access roads and agricultural land. In addition, there is growing dissatisfaction among some affected communities as they feel that there is insufficient oversight of TGI contractors and that adequate compensation is needed. Regarding the supply chain, in some municipalities of TGI's influence, improper practices are perceived on the part of contractors, who allegedly bribe the communities or falsify documentation to confirm that the land is left in perfect condition, despite the fact that the communities have reported not having signed peace and security necessary to finish the work.

It is essential that TGI, as part of its due diligence, exerts influence in its supply chain and avoids violating people's rights, addressing the impacts through prevention, mitigation and remediation measures²⁰. This implies not only recognizing and respecting the rights to an adequate standard of living and decent housing, but also implementing concrete actions to guarantee their protection at all stages of project or infrastructure development, as they constitute essential pillars for the well-being and dignity of all people.

Action Plan

1. Reinforce the processes of verification and evaluation of the performance of suppliers and contractors before, during and after operational activity and/or maintenance.
 - 1.1. Recognize and encourage contractors and suppliers that demonstrate a high level of commitment to respect for human rights, through the implementation of incentives that promote healthy competition and the follow-up of audits of compliance with contractual clauses related to human rights. **(Responsible area: Contractual Affairs and Procurement Management/Contractual Affairs and Procurement Management/Compliance Directorate/Sustainability Directorate).**

¹⁸ United Nations (1948). Universal Declaration of Human Rights. Available at: https://www.ohchr.org/sites/default/files/UDHR/Documents/UDHR_Translations/spn.pdf (accessed May 23, 2024).

¹⁹ United Nations (2009). The human right to adequate housing. Available in: <https://www.ohchr.org/es/special-%20procedures/sr-housing/human-right-adequate-housing> (Taken April 23, 2024).

²⁰ United Nations (2011). *Guiding Principles on Business and Human Rights*. Available at: https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_sp.pdf (accessed May 23, 2024).



- 1.2. Strengthen the process of evaluating the performance of P&Cs taking into account higher standards in the field of Human Rights. **(Responsible area: Contractual Affairs and Supply Management/Sustainability Directorate).**
- 1.3. Promote collaboration and the exchange of good practices in human rights between TGI employees and contractors through face-to-face and virtual talks and training. **(Responsible area: Contractual Affairs and Supply Management and Sustainability Management).**
- 2. Strengthen environmental management during maintenance and operation activity.
 - 2.1. Evaluate and manage the environmental performance of TGI's suppliers and contractors based on the criteria established in the contracts, ensuring compliance with the required environmental standards and the identification and mitigation of environmental risks associated with operation and maintenance activities. **(Responsible area: Environmental Subdirectorate)**
- 3. Promote the proactive implementation of reparation measures with a human rights approach in response to incidents that occur during or after the operation of the company or by the P&Cs.
 - 3.1. Approve and/or integrate as part of the Human Rights Management System the procedure or guide of reparation mechanisms with a human rights approach established and ensure their effective and timely application. **(Responsible area: Sustainability Department).**

Impact 6: Direct and indirect activities of TGI and other companies in the extractive sector that affect the cultural rights of indigenous communities.

Characterization and inherent assessment (without controls) of the impact with the FIP Methodology:

TGI Impact Area	Type of impact	Type of company involvement/responsibility	Location of impact	Scale	Scope	Irremediable character	Gravity
Communities Supply chain	Real	Contribution	Marseille and Riohacha	100%	75%	67%	81%

Inherent (unchecked) assessment of impact with the TGI Methodology:

INHERENT HUMAN RIGHTS VALUATION (FIP)	INHERENT HUMAN RIGHTS ASSESSMENT BY IMPACT (APPROVED)	INHERENT PROBABILITY OF HUMAN RIGHTS BY IMPACT	INHERENT RISK LEVEL
81%	5	4	EXTREME

The United Nations Declaration on Indigenous Peoples guarantees indigenous people the full enjoyment of all human rights and fundamental freedoms²¹ and the Colombian Constitutional Court establishes that direct effects on ethnic minorities include social, cultural and spiritual disturbances²². The lack of knowledge about human rights among ethnic communities in Colombia has contributed to their vulnerability. Difficulties in accessing information, high levels of illiteracy and historical marginalization and discrimination have made it difficult for these communities to claim their rights.

²¹ United Nations. (2007). United Nations Declaration on the Rights of Indigenous Peoples, Article 1. Available at: https://www.un.org/esa/socdev/unpfii/documents/DRIPS_es.pdf (accessed April 1, 2024).
²² Constitutional Court of the Republic of Colombia (2018). Judgment SU-123 of 2018. Available at: <https://www.corteconstitucional.gov.co/relatoria/2018/SU123-18.htm> (taken April 1, 2022).



Therefore, companies, especially in the extractive sector, must carry out due diligence that includes the identification and mitigation of impacts on the rights of indigenous peoples and must maintain informed communication that tends to the search for solutions that are consensual and mutually acceptable to these peoples, according to their uses and customs²³.

Within the framework of this research, it was identified that there are tensions between indigenous communities with GIT in some municipalities of influence due to their activities and the accumulation of extractive companies that have violated their rights. Such is the case of Marseille (Risaralda), where the project of the Quebrada La Nona of TGI, a sacred site for the Embera Chamí community, has generated a perception of disrespect for the rights of this community and of the absence of clear information and communication, taking into account that this place is essential for their purification practices. It is the residence of their traditional doctor²⁴ and is legally protected, which affects their physical and cultural integrity²⁵ and puts their survival as a vulnerable group at risk.

According to indigenous authorities from reservations consulted, the arrival of TGI and its infrastructure has generated negative impacts on sacred places of cultural importance for indigenous communities, causing spiritual disharmony and altering their relationship with the environment. In addition, they have harmed their food sovereignty, income and livelihoods, and their health due to the loss of cultural practices such as fishing, handicrafts and loss of medicinal plants. The Embera Chamí women have had their sources of materials to make brooms and baskets, which provide them with income, affected by the deforestation of areas where the plants they use grow, thus reducing their access to vital resources.

The Embera community stated that communication with TGI has been insufficient and that they do not feel adequately informed or consulted about the new project in La Nona. Although TGI claims to have held recent meetings, the community believes that these visits were unclear and that the representatives were not part of the company and/or were not trained to respond to their concerns. For their part, the Wayúú communities have expressed that TGI and its contractors only communicate with leaders or governors, which they consider acts of exclusion and discrimination due to the lack of information about the activities carried out.

In addition, 100% of the indigenous communities interviewed in both municipalities reported not having received any training or information on human rights or collective rights, making it difficult for them to participate in decisions that affect them. Likewise, TGI contractors and suppliers mentioned that they have not received training in human rights or in the relationship with indigenous communities, which results in a lack of knowledge of the legislation and poor communication with these communities.

Residual impact assessment with the TGI Methodology:

<p>ASSESSMENT WITH HUMAN RIGHTS IMPACT CONTROLS</p>	<p>PROBABILITY WITH CONTROLS</p>	<p>RESIDUAL RISK LEVEL</p>
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²³ IPIECA (2021). Human rights due diligence guidance. Available in: file:///C:/Users/ASUS/Downloads/ipieca_hrdd-guide-2021_fin_sml.pdf (Tomado on 1 de Abril de 2024).

²⁴ Consultores Empresariales D.J. SAS. (n.d.). Intercultural Relations and Sacred Places in the Suratena Reservation, Municipality of Marseille (Risaralda). Internal documentation sent by TGI to IFJ.

²⁵ Ibid.



3	3	MODERATE
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Action Plan

1. To contribute to the strengthening of the uses and customs of the indigenous communities in TGI's areas of influence:
 - 1.1. Within the framework of the prioritization of needs for social investment by the communities and taking into account the particularity of each community, implement projects for the rescue, maintenance and protection of ancestral knowledge, traditions and customs with an ethno-reparation approach, which includes logistical and financial support. **(Responsible area: Sub. Social).**
2. Establish, hand in hand with indigenous communities, mechanisms that guarantee effective communication between them and the company
 - 2.1. Define with the indigenous communities of the areas of influence the most suitable communication channels for the publication of relevant information about TGI and its contractors, taking into account their rural conditions and illiteracy. **(Responsible area: Sub. Social).**
 - 2.2. Conduct training cycles on human rights for the different indigenous communities in TGI's areas of influence, including an emphasis on the rights of indigenous peoples. **(Responsible area: Social Sub. and Sustainability Management).**
3. Strengthen knowledge in human rights, specifically in the rights of indigenous peoples
 - 3.1. Train suppliers and contractors in indigenous peoples' rights and socialize the corporate guidelines for Intercultural Relations with Ethnic Communities, referring to the different communities that inhabit TGI's areas of influence. **(Responsible area: Sustainability Department).**
 - 3.2. Include in TGI's annual Sustainability Report the company's good practices in terms of cultural rights and include this information in the booklets that are delivered to indigenous communities so that this information is accessible to them. **(Responsible area: Sustainability Department).**

Impact 07: Lack of prior consultation processes and/or extemporaneous prior consultation processes with indigenous and Afro-descendant communities, which affects their uses and customs.

Characterization and inherent assessment (without controls) of the impact with the FIP Methodology:

TGI Impact Area	Type of impact	Type of company involvement/responsibility	Location of impact	Scale	Scope	Irremediable character	Gravity
Communities	Perceived	Contribution	Marseille, Riohacha and Prairie	67%	75%	50%	64%

Inherent (unchecked) assessment of impact with the TGI Methodology:

INHERENT HUMAN RIGHTS VALUATION (FIP)	INHERENT HUMAN RIGHTS ASSESSMENT BY IMPACT (APPROVED)	INHERENT PROBABILITY OF HUMAN RIGHTS BY IMPACT	INHERENT RISK LEVEL
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64%	4	3	HIGH
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Recognition of and respect for the autonomy of indigenous peoples, as well as their right to prior consultation, are essential elements in promoting equality, justice and sustainable development in multi-ethnic and multicultural societies. These principles seek to ensure that the rights and dignity of indigenous peoples are respected and protected in all decisions that affect them and are enshrined in the United Nations Declaration on Indigenous Populations, which states that *"Indigenous peoples have the right to self-determination and by virtue of that right freely determine their political status and freely pursue their economic development, social and cultural"*.²⁶

The report of the Special Rapporteur on the rights of indigenous peoples states that, according to international instruments, extractive activities should not be carried out in indigenous territories without their free, prior and informed consent²⁷. Similarly, the IACHR emphasizes that territorial rights include control of habitat for the survival and cultural development of indigenous peoples²⁸.

The human rights impact assessment carried out by the IFJ identified indigenous communities in TGI's area of influence in Risaralda and Rioshacha, and Afro-descendant communities in Valle del Cauca, all in territories with institutional weakness and a lack of political will on the part of the authorities to fully guarantee their rights. The perception of inadequate prior consultations has been aggravated by the absence of the State, and in La Guajira, also by consultations carried out by mining-energy companies that have not included all communities²⁹, which represents a challenge for any company, including TGI, when relating to these communities.

In the face of business management, some Wayuú communities stated that they perceive a lack of willingness on the part of TGI to carry out extemporaneous prior consultation processes³⁰ with those communities that were not included in the prior consultation processes in 1998 or that were not carried out on the occasion of the second expansion of the gas compression station. Similarly, in La Guajira, 2 out of 4 Wayuú communities interviewed in Rioshacha said that they never demanded it because of little or no knowledge and access to information about their rights as indigenous communities. Likewise, they stated that from TGI there has been no training on this issue, but that they consider it an important issue.

²⁶ United Nations. (2007). *United Nations Declaration on the Rights of Indigenous Peoples, Article 1*. Available in: [OHCHR | United Nations Declaration on the Rights of Indigenous Peoples \(ohchr.org\)](https://www.ohchr.org/en/docd/undocs/declaration-on-the-rights-of-indigenous-peoples)

²⁷ General Assembly of the United Nations Human Rights Council. (2013). *Report of the Special Rapporteur on the rights of indigenous peoples, James Anaya: Extractive industries and indigenous peoples*. Available in: <https://undocs.org/es/A/HRC/24/41>

²⁸ Inter-American Court of Human Rights (IACHR). (n.f.). *Booklet of jurisprudence of the Inter-American Court of Human Rights No. 11: Indigenous and Tribal Peoples*. Available in: <https://www.corteidh.or.cr/sitios/libros/todos/docs/cuadernillo11.pdf>

²⁹ Business and Human Rights Center (BHRC). (2022). Colombia: Protests by members of the Wayuú people demand that the State and wind energy and mining companies respect their human rights. Available in: <https://www.business-humanrights.org/es/%C3%BAltimas-noticias/colombia-protestas-de-miembros-de-pueblo-wayu%C3%BA-exige-al-estado-y-a-las-empresas-de-energ%C3%ADa-e%C3%B3lica-y-mineras-respetar-sus-derechos-humanos/>

³⁰ Prior consultation held after the start of the project, work or activity is untimely, because it is imperative that, by virtue of the principle of good faith, ethnic communities achieve clear and transparent communication with those directly interested in developing an activity, which will affect the lives of the members of that community.



Likewise, in Marseille, the Embera Chamí community stated that TGI does not relate directly to them, but that the relationship they have had has been through external professionals who mapped the sacred sites of the community for the Cruce de la Nona project (this being one of their sacred sites), who stated that prior consultation was not appropriate for the implementation of the project. It is important to remember that the Constitutional Court, through its ruling SU-123 of 2018, has affirmed that the conception of territory for indigenous communities transcends beyond what is understood as physical space and is linked to cultural, spiritual and ancestral elements³¹.

This shows a weak relationship between TGI and indigenous and Afro-descendant communities. Indigenous communities affirmed that TGI only communicates for interventions or maintenance, while some Afro-descendant communities pointed out the total absence of rapprochement. TGI said in an interview with IFJ that the communities that claim not to have been included in the Prior Consultation were taken into account before being subdivided and that they currently do not have requests for prior consultation.

As a result of the aforementioned situations, the interviewed communities perceive that TGI negatively affects the social fabric due to fragmentation of communities, given that prior, free and informed consultation can become an effective instrument to promote the development of ethnic communities and its non-realization, not only affects their right to self-determination, but also to their own culture, to preserve their customs and their own institutions and to decide their own priorities in the development process, but also exacerbates the conditions of vulnerability of these communities whose human rights have been violated by the armed conflict, organized crime, drug trafficking and discrimination in general³².

In addition, this impact can generate a perception of affectation of the right to collective property over their territory "which is of essential importance for culture and spiritual values, where the special relationship of indigenous communities with their habitat is highlighted, not only because they find their main means of subsistence there, but because it constitutes an integral element of the worldview and religiosity of aboriginal peoples".³³

Faced with this issue, the Constitutional Court has established in judgment SU-123 of 2018, that both the State and companies must follow minimum due diligence to guarantee the fundamental rights of indigenous communities, specifically prior consultation, which includes due diligence of recognition and consultation. therefore, the absence of official recognition of a community is insufficient for the State or a private party to refuse to consult a measure with an ethnic community³⁴.

³¹ Constitutional Court. (2018). Judgment SU 123/2018 [MP Alberto Rojas Ríos and Rodrigo Uprimny Yepes]. Available in: <https://www.corteconstitucional.gov.co/relatoria/2018/SU123-18.htm>

³² Office in Colombia of the United Nations High Commissioner for Human Rights (OHCHR). (2011). The Right of Afro-Colombian Communities to Free, Prior and Informed Consultation. An information and reflection guide for its application from a human rights perspective. Available in: <https://www.acnur.org/fileadmin/Documentos/Publicaciones/2011/7653.pdf?view=1>

³³ Constitutional Court. (2009). *Sentence T-769 of 2009* [MP Nilson Pinilla Pinilla]. Available in: <https://www.corteconstitucional.gov.co/relatoria/2009/t-769-09.htm>

³⁴ Ibid.



Residual impact assessment with the TGI Methodology:

ASSESSMENT WITH HUMAN RIGHTS IMPACT CONTROLS	PROBABILITY WITH CONTROLS	RESIDUAL RISK LEVEL
2	1	LOW

Action Plan

1. Strengthen the relationship between indigenous and Afro-descendant communities with TGI.
 - 1.1. Continue to strengthen trust between indigenous communities, Afro-descendants, the company and other actors in the territory related to this impact. **(Responsible area: Social Sub. and Communications Directorate)**
 - 1.2. Continue the socialization processes between TGI and the Altomira Reservation with local authorities as guarantors of the process to inform about the appropriateness or not of prior consultations and other available consultation mechanisms. **(Responsible area: Sub. Social)**
2. Strengthen the knowledge of ethnic communities for informed and culturally appropriate participation.
 - 2.1. Develop training spaces with indigenous and Afro-descendant communities on human rights and the rights of indigenous peoples, including the right to prior consultation. **(Responsible area: Sub. Social)**
3. Strengthen communication channels and access to information for ethnic communities on TGI projects and whether or not prior consultation is appropriate.
 - 3.1. Continue to implement mechanisms for dialogue and consultation with indigenous and Afro-descendant communities in TGI's areas of influence. **(Responsible area: Sub. Social)**

Impact 08: High workload that limits the right to rest and the enjoyment of free time of TGI administrative and operational employees.

Characterization and inherent assessment (without controls) of the impact with the FIP Methodology:

TGI Impact Area	Type of impact	Type of company involvement/responsibility	Location of impact	Scale	Scope	Irremediable character	Gravity
Work Placements	Real	Cause	Marseille, Mariquita, Riohacha, San Pablo, Villavicencio, Páez, Briceño and Pradera	67%	75%	50%	64%

Inherent (unchecked) assessment of impact with the TGI Methodology:

INHERENT HUMAN RIGHTS VALUATION (FIP)	INHERENT HUMAN RIGHTS ASSESSMENT BY IMPACT (APPROVED)	INHERENT PROBABILITY OF HUMAN RIGHTS BY IMPACT	INHERENT RISK LEVEL
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64%	4	4	HIGH
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The right to rest and the enjoyment of free time is fundamental for the well-being and health of individuals. In Colombia, this right is supported by legal provisions that guarantee the reasonable limitation of working hours and the right to periodic paid vacations³⁵. According to the ILO, work and mental health are interconnected; A healthy work environment supports mental health, while an unhealthy environment can undermine it. Work overload can put this right at risk, generating high levels of stress and affecting the mental health of workers³⁶.

According to the WHO, high levels of work-related stress are associated with lost workdays due to anxiety and depression, which carries significant economic costs³⁷. In Colombia, long hours and unhealthy work environments are common, with a large proportion of workers experiencing physical and psychological fatigue, and where many feel neglected by their employers in the face of their well-being³⁸.

100% of TGI's interviewed workers expressed facing an excessive workload due to the assignment of tasks and high goals, the lack of personnel to address them, and the measurement of compliance based on days worked. Therefore, they end up sacrificing rest time and overdoing it. In addition, the lack of knowledge and participation in effective well-being and work-life balance programs aggravates the situation, as many do not know them or cannot attend them due to lack of time or because the spaces are virtual.

Work overload has important consequences for TGI workers, including the decrease in rest time and the lack of opportunities for the enjoyment of free time, which generates an imbalance between the personal and work lives of employees as they are unable to share time with families. This affects their mental and physical health, contributing to problems such as anxiety, insomnia, the consumption of medications to fall asleep, worry and fatigue, which can enhance the appearance of diseases such as depression, added to the parallel appearance of comorbidities that require treatment by specialists. A TGI worker said that as a result of long periods of work and work stress she was diagnosed with fibromyalgia, a chronic (long-lasting) disease that causes pain throughout the body. Another worker said that due to the long hours of work on the computer, there was cumulative fatigue and now her arm is swollen, for which she must attend physical therapy. On the other hand, women face additional challenges due to unpaid care responsibilities, which further increases workload and stress.

Action Plan

1. *Assess current workload and implement time management strategies to decrease overload.*
 - 1.1. Within the framework of focus groups with workers, carry out training in time management techniques and prioritization of tasks. Within these trainings, you can be trained in the use of tools and applications that help organize, plan and simplify work. **(Area responsible: IT).**

³⁵ In Colombia, articles 158, 161, 167, 177 (working hours) and 181 (Sunday rest) of the Substantive Labor Code regulate this matter.

³⁶ OIT (2022). Mental Health at Work: Policy brief. Tomado de: https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---safework/documents/publication/wcms_856976.pdf (Tomado el 23 de mayo de 2024).

³⁷ UN (2022). Depression and anxiety cause the annual loss of 12,000 million days of work and a trillion dollars. Available at: <https://news.un.org/es/story/2022/09/1515371> (Taken on May 23, 2024).

³⁸ Blu Radio (2022). *Six out of ten employees consider that the work environment in Colombia is not healthy.* <https://www.bluradio.com/nacion/seis-de-cada-diez-empleados-consideran-que-el-ambiente-laboral-en-colombia-no-es-sano-so35> (Taken May 23, 2024)



- 1.2. Prioritize the areas of TGI in which there is a greater workload and in these work with the managers and/or senior positions in charge of the area and the work teams to establish specific, measurable, achievable, relevant and time-bound (SMART) goals so that they are realistic and can be achieved within the time and resources available. This is accompanied by a detailed compilation of the team's capacity and workload. **(Area responsible: Human Talent)**
- 1.3. Evaluate the possibility of hiring personnel and/or interns to reduce the workload. It is important to ensure that there is no work overload in the interns or that they take on activities that are assigned to other positions, but that they function as support in the operational activities of the company. **(Area responsible: Human Talent)**
2. Increase the installed capacities of people who occupy positions that involve personnel management to foster an organizational culture that does not promote overload and work stress of the company's workers.
 - 2.1. Carry out or continue to carry out awareness-raising processes focused on senior managers of the company to motivate continuous improvement around the overload, disconnection and work stress of TGI workers. **(Responsible area: Sub SST).**
 - 2.2. Continue with the programmes, campaigns and spaces already established to contribute to mental health, focused on the generation of skills and the learning of tools that can allow TGI workers to adequately manage stress and work overload, as well as develop greater empathy among co-workers. **(Responsible area: Sub SST).**

Impact 9: Practices of contractors and suppliers of TGI that ignore the legal labor obligations, generating inadequate working conditions for their workers.

Characterization and inherent assessment (without controls) of the impact with the FIP

Methodology:

TGI Impact Area	Type of impact	Type of company involvement/responsibility	Location of impact	Scale	Scope	Irremediable character	Gravity
Labor Practices Supply Chain	Real	Relation	Mariquita, Páez, Riohacha and Villavicencio	83%	50%	50%	61%

Inherent (unchecked) assessment of impact with the TGI Methodology:

INHERENT HUMAN RIGHTS VALUATION (FIP)	INHERENT HUMAN RIGHTS ASSESSMENT BY IMPACT (APPROVED)	INHERENT PROBABILITY OF HUMAN RIGHTS BY IMPACT	INHERENT RISK LEVEL
61%	4	3	HIGH



The ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy³⁹ clarifies that the benefits and working conditions offered by enterprises throughout their operations must be the best possible by taking into account, inter alia, the needs of workers and their families, and economic factors, and the needs of economic development. However, in areas such as Riohacha, Villavicencio, Mariquita and Páez, practices of contractor companies and suppliers of TGI were identified that do not know or do not comply with labor obligations, which generate economic uncertainty and exacerbate the difficulties in the quality of life of subcontractors and their families, by affecting the income and livelihoods to meet their basic needs. causing, in some cases, negative effects on the mental health and emotional well-being of workers.

According to information from some subcontractors interviewed, in the municipalities of Mariquita, Páez, Riohacha and Villavicencio there have been delays in payments by their companies. In addition, workers from TGI contractor companies also stated that they have the obligation to connect to virtual training, however, several of them do not have sufficient economic means to guarantee connectivity to these spaces on their mobile phones, and the contractor companies do not provide access to TGI's Wi-Fi network. Similarly, they mentioned that they have felt intimidated, since they must sign a wake-up call in case they do not connect, which scares them, affects their resumes.

In addition to the above, several cases were found related to the interference of free and rest times of workers of supplier companies and contractors. Some relate to (i) the length of their working hours and the availability they must have outside of their working hours, without extra pay or compensation; (ii) and requirements for employees to attend training or undergo medical examinations outside of their working hours, interfering with their free and rest time.

In the management of the cases mentioned above, grievance mechanisms become relevant for workers to report labor problems. However, more than 50% of the subcontractors interviewed say they do not know TGI's PQRS service channels, because they have not been trained in their use and/or have not been made aware of them. In addition, workers at these companies say that although they have heard about the channels for reporting harassment, they do not know them well or how they work.

In this regard, some subcontractors interviewed told the IFJ the lack of transfer of the TGI culture to their supply chain so that it is consistent in all areas of influence, specifically in everything related to human rights, since they commented that some suppliers and contractors have not been trained in these issues.

As a result of the above-mentioned practices, the right to work and decent work principles of rights-holders have been affected by disregarding legal labor obligations related to timely and correct payment, access to timely information on working conditions and internal processes of the organization, and the right to rest of workers.

Residual impact assessment with the TGI Methodology:

ASSESSMENT WITH HUMAN	PROBABILITY WITH CONTROLS	RESIDUAL RISK LEVEL
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³⁹ ILO. (2022). *Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy*. Available at: https://webapps.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/documents/publication/wcms_124924.pdf (taken on April 26, 2024).



RIGHTS IMPACT CONTROLS		
2	2	LOW

Action Plan

1. Implement labor and safety clauses in P&C hiring policies and strengthen Labor Inspection protocols:
 - 1.1. Implement a continuous monitoring and supervision system to ensure compliance with labor obligations by contractor and supplier companies. This system must include or strengthen the supervision protocols focused on verifying compliance with labor obligations by P&C. **(Responsible area: Contractual Affairs and Supply Management/Sustainability Directorate).**
 - 1.2. Include in the contracting policies between TGI and its suppliers and contractors (P&C), specific contractual clauses that establish that all training that P&C requires its workers to carry out must be carried out within the working day or days, unless it has been communicated from the beginning at the signing of the contract that these working days may be on weekends. **(Responsible area: Contractual Affairs and Supply Management).**
2. Raise awareness and build capacities in TGI suppliers and contractors related to decent work principles.
 - 2.1. Strengthen P&C capacities on their labour legal obligations, human rights and decent work principles through briefings, workshops and educational materials on labour rights, mental health, occupational safety and labour exploitation prevention. **(Responsible area: Sustainability Department).**
3. Provide training to P&C subcontracted workers on existing formal complaint mechanisms and how to use them
 - 3.1. Conduct training for P&C subcontractors, the main purpose of which is to raise awareness of the formal PQRS mechanisms and how to use them so that workers can file complaints and denunciations in case of violations of their labor rights by contractor and supplier companies. **(Responsible area: Contract Supervisor / Social Sub.).**
4. Mental Wellness Care for P&C Subcontractors
 - 4.1. TGI promotes that suppliers and contractors implement comprehensive welfare programs for subcontracted workers. These programs could include self-care activities, flexibility in working hours, resources for stress management, active breaks, exercise and physical activity programs, among others. **(Responsible area: Sub. SST).**

Impact 10: Presence of TGI infrastructure that generates a sense of risk in the surrounding communities and could affect their physical and mental health.

Characterization and inherent assessment (without controls) of the impact with the FIP Methodology:

TGI Impact Area	Type of impact	Type of company involvement/responsibility	Location of impact	Scale	Scope	Irremediable character	Gravity
Communities	Potential	Contribution	Marseille, Mariquita, Riohacha, San Pablo, Villavicencio,	83%	75%	50%	69%



			Páez, Briceño and Pradera				
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Inherent (unchecked) assessment of impact with the TGI Methodology:

INHERENT HUMAN RIGHTS VALUATION (FIP)	INHERENT HUMAN RIGHTS ASSESSMENT BY IMPACT (APPROVED)	INHERENT PROBABILITY OF HUMAN RIGHTS BY IMPACT	INHERENT RISK LEVEL
69%	4	4	HIGH

According to the Universal Declaration of Human Rights and the Political Constitution of Colombia, the right to life protects the existence and security of people by guaranteeing an environment free of threats. According to the Constitutional Court of Colombia, a threat is an imminent potential violation that compromises life and the enjoyment of other related rights⁴⁰. In this sense, the activity of mining-energy companies, although it boosts economic growth, exposes nearby communities to environmental and safety risks, such as leaks and explosions, for which reason the Court has established that these companies have the obligation to anticipate and prevent risks and threats. Likewise, it has established jurisprudence in previous cases in the sector, determining that neither war, nor the actions of subversive groups, nor other catastrophic risks, even unforeseeable, exempt companies from their responsibility⁴¹.

In addition, the presence of infrastructure of these companies can affect the right to health, linked to the right to life and integrity, since health includes physical, cognitive, social, emotional and mental aspects, essential for a dignified life. In this regard, the World Health Organization (WHO) and the ICESCR recognize the right of all people to enjoy the highest attainable standard of physical and mental health⁴².

In the context causes associated with this impact, it was possible to identify that in recent years there have been events related to the pipes and dehydration plants of TGI that have been public knowledge and that have caused impacts in the communities of Páez (Boyacá) and Manaure (La Guajira). Some of these events are directly related to climatic phenomena in their occurrence since, in the

⁴⁰ Constitutional Court of the Republic of Colombia (1993). *Judgment T-552 of 93*. Available in: <http://www.corteconstitucional.gov.co/relatoria/1993/T-552-93.htm> (taken May 27, 2024).

⁴¹ Supreme Court of Justice (2018). *Judgment C5686 of 2018. Civil Chamber. MP: Margarita Cabello Blanco*. Available at: SC5686-2018(2004-00042-01).pdf (cortesuprema.gov.co) (accessed April 9, 2024).

⁴² Pan American Health Organization (2013). *Mental Health Community Promoter's Guide*. Available at: [https://iris.paho.org/bitstream/handle/10665.2/31342/salud-mental-guia-promotor.pdf?sequence=1&isAllowed=y#:~:text=La%20Organizaci%C3%B3n%20Mundial%20de%20la%20Salud%20\(WHO\)%20define%20health%20mental,a%20contribution%C3%B3n%20to%20their%20community%E2%80%9D](https://iris.paho.org/bitstream/handle/10665.2/31342/salud-mental-guia-promotor.pdf?sequence=1&isAllowed=y#:~:text=La%20Organizaci%C3%B3n%20Mundial%20de%20la%20Salud%20(WHO)%20define%20health%20mental,a%20contribution%C3%B3n%20to%20their%20community%E2%80%9D). (Taken March 29, 2024).



municipalities where this impact was identified, there are intense periods of rain and/or drought, which can endanger the passage of pipes due to landslides, floods or fires. Likewise, it was identified that some of the communities near the TGI pipelines lack knowledge about precautionary measures, which leads to irresponsible practices that increase the risk of emergencies.

As for the company's management, communities in TGI's areas of influence recall incidents with the pipelines and express constant fear of possible explosions, as one resident of Marseille stated: *"that pipeline is a ticking time bomb and no one is prepared."* Others have denounced the lack of maintenance and response by TGI, mentioning problems such as the intense smell of gas coming from a plant or station of the company, which causes headaches and nausea, without receiving adequate solutions or responses. In Marseille, for example, a pipe exposed and unmaintained for years raises concerns about possible ruptures due to flooding while, in Villavicencio, weeds on the TGI right-of-way increase safety risks in the area. Despite TGI's efforts to inform communities about emergency measures and contacts, the information does not reach everyone, increasing the sense of insecurity and uncertainty.

The occurrence of gas leaks, fires and explosions in areas of influence of TGI has created an environment of constant risk and threat to the life and integrity of people, generating fear and anxiety. These events, although they have not caused direct human losses, have left considerable material damage and affected the mental health of communities, causing stress, anxiety and other emotional problems⁴³. Lack of adequate or sufficient information⁴⁴ on safety measures increases the risk of dangerous situations, and failure to respond in a timely manner to community concerns increases mistrust of the company and makes it difficult to collaborate to address issues and make them feel safe.

Finally, the presence of pipelines and power towers from other companies combined with the presence of the TGI gas pipeline can increase the possibility of generating explosions or increase their severity, which has exacerbated the communities' sense of risk⁴⁵.

Residual impact assessment with the TGI Methodology:

ASSESSMENT WITH HUMAN RIGHTS IMPACT CONTROLS	PROBABILITY WITH CONTROLS	PEOPLE	RESIDUAL RISK LEVEL
2	2	2	LOW

Action Plan

- | |
|---|
| 1. <i>Strengthen measures to prevent damage to the TGI pipeline and draw attention to its care.</i> |
|---|

⁴³ Ideas for Peace Foundation (FIP). (2020). *Truth and Effects on the Oil Infrastructure in Colombia in the Framework of the Armed Conflict*. Available at: <https://empresaspazddhh.ideaspaz.org/sites/default/files/documentos-micro/codhes-web.pdf> (accessed April 9, 2024).

⁴⁴ See Impact 02 for more detail on information gaps.

⁴⁵ Guerrero, M. (2018). *Rupture of pipelines due to external interference, environmental damage and sustainability in Colombia*. Available at: http://www.scielo.org.co/scielo.php?script=sci_arttext&pid=S1909-04552018000200007 (accessed April 9, 2024).



- 1.1. Reinforce and increase pipeline signage measures to make them clearer, more visible, and include recommendations for hazardous activities that communities should avoid in the area. **(Responsible area: O&M Management and Social Sub).**
- 1.2. Provide psychological support to those members of the communities who may be physically or psychologically affected by damage to the pipes such as fires, explosions, among others. **(Responsible area: O&M Management).**
2. *Carry out socialization actions in the face of action and care measures.*
 - 2.1. To socialize to the communities of the areas of interest the measures that TGI has implemented in the municipalities where there have been contingencies due to explosions and/or leaks, socializing causes and measures adopted by the company. It is also recommended to leave bulletins with the report of these measures in the mayor's offices of the municipalities. **(Responsible area: Sub. Environmental).**
 - 2.2. Socialize the communities in the areas of influence what measures TGI is taking to deal with the effects of climatic conditions on the passage of the pipelines. **(Responsible area: Sub. Environmental).**
 - 2.3. Implement, ensure and agree with the communities on an efficient, effective and constant communication strategy, in order to strengthen, update and remember knowledge and reinforce evacuation strategies in cases of risk materialization. **(Responsible area: Sub. Environmental).**

Impact 11: Situations of social conflict within the municipalities where TGI operates that affect the safety of direct and indirect workers of the company.

Characterization and inherent assessment (without controls) of the impact with the FIP

Methodology:

TGI Impact Area	Type of impact	Type of company involvement/responsibility	Location of impact	Scale	Scope	Irremediable character	Gravity
Labor Practices Supply Chain	Real	Contribution	Marseille, Mariquita, Riohacha, San Pablo, Villavicencio, Páez, Briceño and Pradera	83%	50%	67%	67%

Inherent (unchecked) assessment of impact with the TGI Methodology:

INHERENT HUMAN RIGHTS VALUATION (FIP)	INHERENT HUMAN RIGHTS ASSESSMENT BY IMPACT (APPROVED)	INHERENT PROBABILITY OF HUMAN RIGHTS BY IMPACT	INHERENT RISK LEVEL
67%	4	4	HIGH

The Voluntary Principles on Security and Human Rights establish the behaviors that should govern the actions of companies to maintain the security of their operations under a framework that



guarantees respect for human rights⁴⁶ through the understanding and prevention of the effects that their operations generate on their personnel. Personal security has been defined by the Constitutional Court of Colombia in Judgment T-224/14 as a constitutional value, a collective right and a fundamental right, which implies guaranteeing a context free of violations and violations that compromise people's lives and their possibility of enjoying other related rights.

The OECD's Due Diligence Guidance for Responsible Business Conduct stresses that companies in conflict environments, such as Colombia's, should take special measures to manage their human rights impacts and avoid exacerbating pre-existing conditions. This includes preventing and mitigating risks to your direct and indirect workers. In addition, it recommends complementing due diligence with a focus on the armed conflict, to understand how business dynamics interact with this context and thus minimize any effects that increase the conflict⁴⁷.

In the context of the armed conflict in Colombia, companies have been recognized as an important social actor in the socioeconomic dynamics and the territories where they operate. Such is the case of TGI, whose operations are present in historically vulnerable areas and where victimizing acts by illegal armed groups have impacted the development of business activities. For example, increased investment in the energy mining sector and in the prices of natural resources has led to illegal armed groups finding new sources of financing through the destruction of infrastructure or extortion of large companies⁴⁸.

In this context, in departments such as La Guajira and Tolima, the Ombudsman's Office has reported the presence of organized criminal groups such as the Clan del Golfo and Autodefensas Conquistadoras de la Sierra Nevada, which have led to scenarios of violence and conflict. This situation exposes TGI's direct and indirect workers to risks to personal integrity such as theft, extortion or threats.

On the other hand, social conflicts have been identified such as blockades of TGI and other companies in the extractive sector, which represent risks to the safety of direct and indirect workers. These types of conflicts, which can lead to injuries⁴⁹ and detentions in protests, result from failures in communication, failure to fulfill commitments, and the omission of a focus on human rights in the relationship between companies and communities (including their suppliers, contractors, and other business partners). In addition, the high expectations of the communities, exacerbated by the historical intervention of oil companies in public sector functions, increase their nonconformity.

In conflict-affected territories, the framework of the Guiding Principles of Due Diligence has been strengthened, adapting it to contexts of generalized violence, given that "the greater the risk, the more complex the processes." In this sense, commercial activities in these areas cannot be considered "neutral" since they influence the dynamics of the conflict. Therefore, the company must

⁴⁶ FIP (2006). *Operations in conflict zones and fragile governance: practical guides for companies in non-extractive sectors*. Available in: <https://www.ideaspaz.org/publicaciones/posts/69>

⁴⁷ OECD (2018). *OECD Due Diligence Guidance for Responsible Business Conduct*. Available in: mneguidelines.oecd.org/Guia-de-la-OCDE-de-debida-diligencia-para-una-conducta-empresarial-responsable.pdf

⁴⁸ UNDP (2019). *Costs of social conflict in the hydrocarbons sector in Colombia*. Available in: <https://www.undp.org/es/colombia/publicaciones/costos-de-la-conflictividad-social-en-el-sector-de-hidrocarburos-en-colombia> (Retrieved March 26, 2024).

⁴⁹ ACE. (2023). *The reasons for the peasant protests against an oil company in Caquetá*. Available in: <https://colombia.as.com/actualidad/los-motivos-de-las-protestas-campesinas-contra-una-petrolera-en-caqueta-n/>



use this understanding to prevent or mitigate negative human rights impacts, including in its business relationships⁵⁰.

Based on interviews with TGI workers and subcontractors, it was found that as a result of the context of conflict where they operate, there have been situations of aggression against security personnel, mental health effects due to uncertainty and fear of possible actions by illegal armed groups, as well as exposure to conflict situations. threat, extortion and theft. These situations affect the right to security and personal integrity, and by connection, can have an impact on the rights to life, liberty, health and well-being of workers and their families.

Residual impact assessment with the TGI Methodology:

ASSESSMENT WITH HUMAN RIGHTS IMPACT CONTROLS	PROBABILITY WITH CONTROLS	PEOPLE	RESIDUAL RISK LEVEL
2	2	2	LOW

Action Plan

1. Strengthening of measures for the management of situations that may put at risk the safety and personal integrity of TGI workers, suppliers and contractors who are in the territory.
 - 1.1. Design an internal protocol or integrate into the document for dealing with critical cases in terms of security, detailed action measures to act before, during, and after situations of threats, extortion, theft, and public order eventualities that may affect the safety and integrity of workers, suppliers, and contractors. **(Responsible area: Sub. SST).**
2. Strengthen the knowledge and generate capacities of the company's suppliers and contractors in the face of the outstanding security issues that have been identified in the context and territorial risk analyses of TGI and the management that the company has carried out in front of them.
 - 2.1. Develop spaces for awareness and training on security and human rights with suppliers and contractors. **(Responsible area: Communications and Physical Security).**
3. Continue to build alliances and influence local state authorities in order to contribute to the promotion of preventive actions and measures to manage security situations.
 - 3.1. Actively participate in or promote multi-stakeholder dialogue tables with state authorities, the Public Force, the Public Prosecutor's Office, and other companies present in the territory, in order to identify situations that may increase insecurity in the territory and establish preventive measures on security issues, taking into account the perception of interest groups and rights holders. **(Responsible area: Management of Government and Environment Affairs).**
 - 3.2. Strengthen the communication spaces between supplier companies and related contractors and TGI in order to monitor compliance with the protocols and/or preventive and action measures in situations of threats, extortion, theft and public order eventualities that are being implemented and verify that they are aligned with TGI's guidelines. **(Responsible area: Supply Management).**
4. Strengthen follow-up and monitoring strategies, as well as the prevention of situations that may put the life, safety, and integrity of workers at risk.
 - 4.1. Increase the periodicity of the communication strategy of the company's security plan so that workers have the information present and so that there can be updates on situations, new criminal

⁵⁰ UNDP (2022) Enhanced human rights due diligence for business in conflict-affected contexts. A guide. Available in: [Heightened Human Rights Due Diligence for Business in Conflict-Affected Contexts: A Guide | United Nations Development Programme \(undp.org\)](https://www.undp.org/publications/heightened-human-rights-due-diligence-for-business-in-conflict-affected-contexts-a-guide)

modalities and other social conflicts that may affect them. (Responsible area: Security Supervisors).



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