

Questionnaire

A: General Update

1. Please indicate any specific steps taken by the state to implement the Guiding principles on Business and human Rights since they were endorsed by human Rights council in June 2011.

GOV: In June 2014, the Colombian government published the public policy guidelines on business and human rights, which was the result of a broad consultative process in the territory, with the participation of business and civil society. This text becomes the foundation of the work would take place in 2015.

In September 2014, the National Government created the office of Presidential Adviser for Human Rights. This office will have the responsibility to lead the process of building the national action plan on business and human rights.

2. Do these efforts include a plan to develop or update a state national action plan on business and human rights, and does such plan refer to the UN guiding principles and the guidance developed by the working group?

GOV: Yes

If yes, please indicate:

a) The Government department(s) taking the lead and involved in developed such plan and coordinating its implementation?

GOV: In the government, it is the office of the Presidential Adviser for Human Rights in charge of coordinating actions to the construction of the national action plan.

b) Whether different stakeholders, including business associations and civil society organizations, have been involved in developing the plan, and whether there is an institutional platform for such engagement and participation?

GOV: Since the beginning of the process, the government wanted to be a participatory process having three key players: the State, civil society and businesses. For these open spaces, we have had the support of international organizations, embassies and countries have already gone this way.

On the other hand, within the government, a technical committee was created in order to accompany the process. This committee is made up of high-level delegates from each of the ministries involved.

Right now, the draft plan is being built with participation of civil society, government institutions and enterprises with a clear territorial orientation.

B. Business enterprises owned or controlled by the state

1. Does the Government have policies and/or regulations and/or guidance in place that address the need for enterprises that are owned or controlled by the state to implement for human rights throughout their operations?

GOV: As part of the focus of policy coherence, it is conducting an internal work reviewing the legislation to bring it into line with the policies of business and human rights. Likewise, it has raised the need for more explicit reference to human rights in some of our internal legislation.

a) Requirements or expectations for state-owned enterprises to undertake human rights due diligence?

GOV: Companies are in a process of internal training on human rights issues. The national action plan includes a line of extensive training action on the subject. We are also looking for the strengthening of the existing initiatives as Guías Colombia and Comité Minero energético for the application of the Guidelines.

b) Provisions for human rights due diligence relating to activities in other countries/abroad?

GOV: We are integrating in to the national action plan, the OECD principles for multinational companies

c) Requirements to report on human rights risks and/or impacts, and if so on what issues?

GOV: These issues are under construction in the NAP

2. Does the Government have any policies and regulations and guidance with regard to joint ventures involving the Government?

GOV: this is part of the current discussion

3. Are publicly owned funds required or expected to include human rights risks in fund management criteria?

GOV: this is part of the current discussion

4. Do publicly owned or controlled financial institutions have safeguard policies that refer to human rights?

GOV: The policy of respect for human rights cuts across all government action. However, the government proposes to make it more explicit in the NAP.

5. Please indicate any other practices or lessons learned that Government would like to share in relation to the human rights responsibilities of business enterprises owned or controlled by the state.

Ecopetrol one of the most important state enterprises has been advancing in the implementation of a program called: Historical Memory: a contribution to peace.

It has contributed to the recovery of historical memory for the construction of peace, reconciliation and promotion of human rights and social reconstruction in the region called Magdalena Medio.

It has helped generate the conditions for society develops memory initiatives and building a culture of peace based on the recognition and understanding its causes and consequences, processes and experiences of violence, conflict, resistance and the search for peaceful coexistence.

These processes have strengthened the dialogues between the community and the company with which the interaction is facilitated and networks that contribute to the proper implementation of the principles on business and human rights.