

**PROCEDURE FOR PREVENTING, PROTECTING AND SANCTIONING
SEXUAL HARASSMENT IN THE WORKPLACE
--GRUPO SURA--**

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PROCEDURE FOR PREVENTING, PROTECTING AND SANCTIONING SEXUAL HARASSMENT IN THE WORKPLACE

Grupo SURA has assumed the obligation to prevent and sanction conduct that constitutes sexual harassment in the workplace and by means of this document provides the measures to be taken in order to protect, prevent and establish ways to address cases of sexual harassment in the workplace that may arise on a Company level.

Grupo SURA is a Company committed to actively promoting respect for human rights with regard to its different businesses, its investment portfolio and value chain. Drawing up and adopting this policy fulfills this commitment in terms of our corporate philosophy and encourages new ways of respecting and remedying violations of human rights. Sexual harassment in the workplace is a practice that violates the dignity, equality and freedom of people, especially women, who are disproportionately affected by this type of behavior.

Current legislation requires companies to assume, in a co-responsible manner in conjunction with the State and society, the duty to eliminate all forms of violence against women and to guarantee their rights. The provisions contained in the Political Constitution of Colombia, Law 1257 of 2008 and the instruments of international law contained in the Declaration on the Elimination of Discrimination against Women, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Declaration on the Elimination of Violence against Women, the Inter-American Convention on the Prevention, Sanctioning and Eradication of Violence against Women (the Belém do Pará Convention) and the Beijing Declaration and Platform for Action, all of which establish obligations that companies, as active parties in society, must fulfill in order to guarantee women's rights in the working world. Jurisprudence has specified the scope of such obligations, which are explicitly contained in Law 2365 of 2024.

1. SCOPE

This procedure protects all persons who interact within the Grupo Sura's working environment, including agents, contractors, interns and trainees. However, we recognize that sexual harassment is a problem that especially affects women and that it is necessary for this procedure to include a preferential and prevailing procedure for this segment of the population, from a gender perspective.

2. DEFINITION OF SEXUAL HARASSMENT IN THE WORKPLACE

Sexual harassment in the workplace is a type of behavior that violates the dignity, equality and freedom of individuals. It can be defined as any act of persecution, victimization or harassment of a sexual, lewd or libidinous nature or connotation.

This type of conduct may appear in the form of vertical or horizontal power relations, having an impact on a person's age, sex, gender, sexual orientation and identity, or employment, social or economic positions, occurring once or more times in the workplace. This type of behavior can have a negative impact on the victim's emotional state, creating dissatisfaction within their work environment, affecting their professional performance and even making them consider their work environment as being intimidating, hostile or humiliating.

Sexual harassment can manifest itself, through the following behaviors, among others:

- Quid pro quo: explicitly or implicitly offering preferential treatment or a benefit in exchange for sexual favors.
- Implicitly or explicitly demanding conduct of a sexual nature by means of threats.
- Using sexist words or expressions, regardless of the means used for communicating these, that is to say written, verbal or graphic.
- Making insinuations or proposals of a sexual nature without the person to whom they are directed having expressly requested such.
- Making obscene gestures of an explicitly sexual nature or exhibiting, through any means, images of a sexual content, without the person to whom they are directed having expressly requested these.
- Approaching, brushing against or touching a person without his or her express consent.

2.1. Other definitions associated with sexual harassment in the workplace

- **Conduct of a sexual nature:** behavior relating to the expression of human sexuality. This may include physical, verbal or non-verbal expressions.
- **Equal treatment:** absence of discrimination or differential treatment that cannot be reasonably justified.
- **Dignity:** Respectful treatment owed to all people, this based on their human condition.
- **Intimidating work environments:** that inhibit a person's professional development by instilling fear of taking part in these.
- **Hostile work environments:** those appearing adversarial and in which a person feels vulnerable.
- **Humiliating work environments:** that undermine the dignity of the people who form part of these.
- **Directly limiting an individual's professional performance:** this affecting a person's ability to carry out the tasks entrusted to them as well as their professional development objectives thereby affecting their motivation to perform their duties.
- **Indirectly limiting an individual's professional performance:** This affecting a person's professional development by creating an unfavorable environment for them to carry out their tasks and achieve their objectives.
- **Sexual harassment as defined in the Colombian Penal Code: "Article 210^a. Supplemented by Article 29 of Law 1257 of 2008. Sexual harassment:** whoever for his or her own benefit or that of a third party and taking advantage of his or her manifest superiority or authority or power or age, sex, or employment, social, family or economic positions, harasses, persecutes, or bullies another person either physically or verbally, for non-consensual sexual purposes, shall be sentenced to an imprisonment from one (1) to three (3) years."
- **Male or female:** this alludes to a person's biological, anatomical, physiological and chromosomal characteristics.
- **Gender:** a social construct referring to the constructed identities, functions and attributes of women and men and the social and cultural meaning attributed to these biological differences.

3. PREVENTIVE MEASURES AGAINST SEXUAL HARASSMENT IN THE WORK ENVIRONMENT

We can prevent sexual harassment in the work environment by questioning the social behaviors that favor the appearance of these types of conduct, creating opportunities for conversing with the people who form part of the work environment, in order to highlight the most recurrent forms of violence to which they are exposed, such as gender stereotypes or sexist prejudices and identifying the roles with the greatest exposure to sexual harassment within the work environment. If we only focus on reacting to behaviors or we limit ourselves to processing reported cases, we are ignoring the source of the problem we wish to address.

Some measures that we use to change the natural characteristics and prevent behaviors that constitute sexual harassment in the workplace include:

- **Questioning gender stereotypes and sexist prejudices:** the Company's internal and external communications represent an important possibility for creating a cultural transformation in which we may question the gender stereotypes that form the source of sexual harassment problems in the workplace. Proposing content that challenges erroneous beliefs regarding the value of women in the workplace and the roles they should play is a way of transforming behaviors that constitute sexual harassment.
- **Promoting opportunities to hold conversations regarding sexual harassment in the workplace:** the transformative power of dialogue is fundamental for achieving profound cultural changes. Talking about sexual harassment and offering truthful information about the factors that contribute to its happening in the first place is a way of preventing this type of conduct from ever occurring. We must recognize that sexual harassment is a problem that manifests itself in the workplace and that the Company has a well-established procedure to prevent and deal with such conduct.

Talking about this strengthens the confidence that our teams of staff have in the Company when it comes to recurring to the established governing bodies entrusted with processing these cases. Doing so by upholding a gender focus shall allow us to differentiate the different outside groups and segment our own internal groups so that we can freely establish the respective dialogue. Women-only and men-only discussions are important when first opening a dialogue on this type of conduct. As the levels of trust increase and as people in the Company take ownership of the tools available to prevent and deal with cases of sexual harassment, mixed discussion spaces shall be essential to challenge gender stereotypes that give rise to sexual harassment and other discriminatory behaviors within organizations.

- **Drawing up diagnoses that allow for identifying the problem within the workplace and making informed decisions with regard to its handling:** keeping all those diagnoses duly updated with regard to our organizational culture, the work environment and human rights, and even considering the possibility of carrying out specific diagnoses to establish the degree of knowledge regarding the identification of sexual harassment behavior in the workplace as well as other types of violence within the Company, all of which are fundamental for addressing the problem. Recognizing the problem is only the first step towards being able to manage this problem: we must be able to measure how frequently it occurs within the

Company and make available objective information regarding the factors that favor such in order to take direct preventive measures and prioritize the available resources.

- **Disseminate the procedure so that all people in the Company can take ownership of it:** this procedure must be disclosed so that all people who form part of the Company are aware of its content. It must also be posted on the Company's website. It must clearly state the date when issued as well as the date it was last updated.
- **Training:** talks and conferences should be held on issues relating to sexual harassment in the work place, diverse sexuality and discrimination, training on this procedure for current employees and for employees joining the Company, at the initial induction stage with annual re-induction workshops also being held for this procedure.

In addition to being a document that is easy to access and consult, we must strive to ensure that the concepts, especially the principles, definitions and procedures, are appropriate for everyone in the Company. To this end, it is important to create content that refers to the rules and regulations in a language that is clear and accessible to everyone.

4. PRINCIPLES AND OBLIGATIONS GOVERNING THE APPLICATION OF THIS PROCEDURE

In addition to our corporate principles, this procedure is guided by principles of equality, free development of personality, due process, impartiality, speed, confidentiality, prevention, justice, gender equality, freedom and dignity.

In addition to the above, the obligations applicable to Grupo Sura within the framework of this Policy are:

1. **Due diligence and co-responsibility:** Grupo SURA shall act promptly, observing standards of due diligence in receiving and processing complaints regarding sexual harassment and shall implement protective measures for the complainant. It shall also disseminate this procedure and ensure that the means for attending to such complaints are accessible to all people in the Company.
2. **Zero tolerance or neutrality:** conduct constituting sexual harassment, as well as any type of violent conduct and/or discrimination against any person in the Company shall not be tolerated.
3. **Non-repetition:** upon applying this procedure, Grupo SURA undertakes to guarantee the non-repetition of any type of conduct constituting sexual harassment.

5. AUTHORITY RESPONSIBLE FOR APPLYING THIS PROCEDURE

The Ethics and Compliance Committee is in charge of applying this procedure. In the event that the person reported is a member of this Committee, said person may not participate in any activity relating to the case and the Sustainability and Corporate Governance Committee shall be notified. Said Committee shall also appoint a third member to form part of the Executive Committee.

6. CONDUCT TO BE SANCTIONED

Conduct constituting sexual harassment in the workplace that occurs inside or outside Grupo SURA's premises in the performance of any of the activities arising from the contractual obligations of the people employed by or involved with the Company.

6.1. Conduct outside the work place and beyond the working day

Should the persons involved be employed by Grupo SURA and should the types of conduct be related to their responsibilities as Company employees, disciplinary measures shall be taken, or otherwise, the corresponding legal action. In any case, the necessary protection measures shall be established.

It is worth clarifying that it shall be presumed that this type of conduct was committed in the context of the workplace when this is carried out in:

1. The place where the contractual relationship takes place, in any of its modalities, including in public and private, physical and digital environments, or working from home, remote working and teleworking.
2. The places where the remuneration is paid, where breaks are taken, or where food is consumed, or in sanitation or toilet facilities and locker rooms within the work environment.
3. Work-related travel, trips, events or social or training activities.
4. Communications that are work-related, including those sent digitally.
5. Travel between home and the place where the work is performed, when committed by a person who is part of the work environment.
6. In accommodation provided by the employer, when committed by a person who is part of the work environment.

6.2. Conduct on the part of persons outside the Company

In this case, the necessary protection measures will be established and legal measures shall be taken.

7. CHANNELS FOR RECEIVING COMPLAINTS

The corresponding procedure is activated once a complaint is received. Complaints may be received through any of the channels operated by the Ethics Help Line:

- Tel: 01-800-5189191.
- WhatsApp: +52 55 6538 5504
- Email: sura@sistemaetico.com
- Form: sura.sistemaetico.com
- App: operated by EthicsGlobal

7.1. Anonymous whistle blowing

In cases of anonymous complaints, the person filing the complaint must make it clear what the facts were, when they happened and where they happened, including any evidence he or she may have in his or her possession regarding what actually happened. This will allow the person against whom the complaint was made to exercise his or her right to defend themselves and contradict the evidence given.

8. PROTECTION MECHANISMS

Once the Ethics and Compliance Committee receives a complaint, it must implement the protection measures that it considers necessary. These measures are aimed at protecting the complainant from possible retaliation while offering him or her immediate means of containment and care. These protective measures may include:

- Emotional support measures for the complainant
- Psychological counseling for the persons involved
- Legal advice for the persons involved
- Reasonable adjustments to the working conditions of the persons involved, for example, to avoid them sharing work spaces while the case is being resolved.

After establishing the necessary protection measures and after analyzing the facts, the Committee shall define how to address the situation.

Should the person against whom the complaint is brought be a member of the Ethics and Compliance Committee, he or she must abstain from participating in any measures taken to handle the case. In these events, the Committee shall appoint a third member who shall be a member of the Executive Committee.

9. MEANS OF ADDRESSING THE SITUATION

Alternative means: this is only activated at the request of the complainant. This is aimed at making the person, against whom the complaint is made, aware of the seriousness of his or her conduct and the importance of changing his or her behavior. For this purpose, the Committee shall provide an opportunity for this person to acknowledge the facts and how they occurred, commit to making amends for the harm caused to the victim and not to repeat this type of conduct. It is important to clarify that with regard to this alternate means of addressing the situation, direct dialogue between the victim and the person against whom the complaint is brought shall only be possible at the express request of the former.

Internal legal means of addressing the situation: in the event of any type of conduct that may be considered a crime or violation of an external rule or regulation, or when the facts fall beyond the scope of this procedure, the complaint and corresponding report shall be immediately forwarded to the competent authority, at the request of the victim while respecting his or her right to privacy. In these cases, Grupo Sura will guide the complainant to recur to the legally-established mechanisms for addressing the situation and shall provide legal advice for this process while establishing the necessary protection measures to guarantee his or her rights.

Disciplinary action: when this is activated, the Committee shall initiate an investigation in order to verify the facts reported and issue a decision.

External psychological means of care:

1. Psychological clinics hosted by University Institutions.
2. Center for Sexual Diversity and Gender Identities of the Mayor's Office of Medellin, located at the following address: Carrera 48 #57-21.

3. Landline and mobile public listening spaces attached to the Mayor's Office of Medellin, present in the different communes. <https://www.medellin.gov.co/es/secretaria-de-salud/salud-mental/atencion-psicologica-gratuita-escuchaderos/>
4. Social Help Line 123 for Psychological Attention and Humanitarian Aid.

Health care mechanisms: these cases should always be attended through an emergency service, regardless of the time elapsed, follow-up appointments relating to mental and physical health shall also be provided. Complainants can go to their nearest health center.

External legal mechanisms:

1. Legal offices attached to University Institutions.
2. Center for Sexual Diversity and Gender Identities attached to the Mayor's Office of Medellin, located at the following address: Carrera 48 #57-21.
3. Center for the Attention of Victims of Sexual Abuse (CAIVAS in Spanish), located at the following address: Carrera 44 N° 31 - 56.
4. The Complaints Chamber of the Prosecutor's Office or the Immediate Reaction Unit of the same Prosecutor's Office, located at the following address: Carrera 64C N° 67 - 300.
5. Tel: 123 Women's Agency / Metropolitan Woman.
6. Permanent Unit for Human Rights (UPDH in Spanish) of the Human Rights Ombudsman Office in Medellín, located at the following address: Carrera 52 No 71-84 in front of Parque de los Deseos. Medellín, Aranjuez. Office hours: 24 hours 7 days a week

10. INVESTIGATION APPROACHES

Gender: this approach is based on the recognition that there are people who have been historically discriminated against because of their gender and that this situation requires differential treatment in order to achieve equality. This is aimed at avoiding making decisions based on stereotypes, and directing the evidentiary analysis to avoid reproducing discriminatory prejudices and thereby prevent the types of behavior that have the effect of revictimizing women.

Care: this approach is aimed at ensuring that the application of this procedure guarantees respect for the rights of all persons involved and that the measures taken do not cause any harm, for example, by unnecessarily inquiring into the sexual life of the complainant or confronting him or her against the accused against his or her will.

Human rights: this approach is based on an understanding of the human being and the recognition of their dignity and equality, based on non-discrimination for reasons of sex, gender, sexual orientation, age, ethnicity, disability, political ideology, migratory status or geographical origin. This approach also implies that in all circumstances the victims deserve credibility ensuring confidentiality and their privacy, so that their human rights and those of their families are respected, promoted and guaranteed, and at no time are they violated.

11. PROCEDURE FOR CONDUCTING THE ACTUAL INVESTIGATION

The persons in charge of the investigation and of making decisions in each specific case should:

Avoid any revictimization of the complainant: the persons in charge of applying the procedure must have the listening skills required in order to attend to the complainants without revictimizing them. They must be respectful and committed to defending human rights and gender equality. They must also be sensitive to structural inequalities between men and women.

It is important to assess the complainant's behavior and act if there are any signs of risk that could indicate that he or she may be experiencing, for example, anxiety, depression or post-traumatic stress disorder. In these cases, psychological counseling as a preventive measure is essential. It is also essential to identify the complainant's support networks and put him or her in contact with public organizations and institutions that can provide additional support.

Preventing revictimization can be carried out through the following practices:

- Letting the complainant narrate the facts in his or her own way while focusing the questions on those elements that may have been omitted.
- Not using any technical language and asking questions in a clear manner.
- Being clear about the purpose of each question and only asking those questions that provide elements to resolve the case itself.
- Allowing the complainant to express him or herself freely. Intervening with questions that allow him or her to specify the facts involved.
- Asking one question at a time.
- Listening attentively and paying full attention to the story.
- Being open, understanding and interested in the story.
- Avoid asking leading questions.
- Preferring direct eye contact.
- Reading back the notes taken to the complainant and asking him or her if he or she agrees with the story thus recorded. Making any necessary corrections.
- Leaving spaces of silence whenever necessary. For example, after asking questions or in highly emotional moments.
- Should the person deflect, ask questions that allow you to subtly return to the main topic of the conversation.
- Taking an attitude based on trust and openness.
- Assuming a position of listening and openness: making sure that your non-verbal language corresponds to the message being conveyed.
- Refraining from censoring the person or making criticisms or comments regardless of whether these are of an approving or rejecting nature.
- Avoiding gestures of surprise or moralizing statements.
- Showing confidence when dealing with the conflict.
- Efficiently and correctly conducting the interview with the complainant, thus avoiding the need for the complainant to give a new version of the events being investigated.

Not basing decisions on discriminatory stereotypes: under no circumstance should the procedure applied be permeated by stereotypes and prejudices. The Sexual Violence Investigation Protocol endorsed by the Public Prosecutor's Office ¹ establishes certain guidelines in order to avoid incurring in any form of discrimination:

- Not considering the complainant's account as being sufficient to initiate the corresponding procedure and subjecting said account to presenting evidence or proof.
- Making the credibility of the complaint subject to an evaluation of the psychological conditions of the complainant.
- Asking the complainant to ratify his or her complaint or emphasize whether he or she is sure that he or she wants the Company to process his or her case.
- Exposing the complainant and the accused by sharing the same work space or demanding a face-to-face confrontation between them.
- Demanding that the complainant repeatedly narrate the facts that gave rise to the complaint.
- Basing the decision to be taken on the opinions of witnesses or on the value judgments made by others regarding the complainant's private life.
- Making the Company's response contingent on the momentum that the complainant provides to the case.
- Inferring the complainant's consent to the conduct analyzed on the basis of words, gestures, silence, lack of resistance, failure to report in a timely manner or subsequent actions.
- Asking impertinent and/or irrelevant questions.
- Assuming that there was no violation of rights due to the complainant's incapacity to resist, either because of having consumed alcohol or psychoactive substances.
- Underestimating the sense of danger expressed by the complainant.
- Expressing personal opinions, reproaches, giving religious advice or any type of advice that exceeds what is established in the procedure.
- Violating confidentiality.
- Requesting the complainant to hand over to the person against whom the complaint is made, communications or documents relating to applying the procedure.

Giving preference to indications compared to direct evidence, when the latter is insufficient²: indications are logical-legal constructs that allow, based on verifying a fact, that another fact occurred. In matters of sexual harassment in the workplace, the call to make the evidentiary analysis more flexible is based on the recognition of the particularities of the types of behavior that constitute sexual harassment, for example, the possibility that the only witnesses are the complainant and the person against whom the complaint is made and the difficulty for the latter person to collect direct evidence.

Assuming the transforming function of its decisions: the decisions made by the Company regarding sexual harassment in the workplace shall have a transforming effect on the way in which people in the Company perceive this type of conduct. It is important that the people in charge of implementing the procedure measure the scope of their actions and decisions in order to challenge, or reproduce, the gender stereotypes that naturalize sexual harassment.

¹ Office of the Public Prosecutor of the Nation. (n.d). Protocol for the investigation of sexual violence. Obtained from: <https://www.fiscalia.gov.co/colombia/wp-content/uploads/Protocolo-de-investigación-de-violencia-sexual-cambios-aceptados-final.pdf>

²As a way of guaranteeing a gender perspective in judicial decisions, the Court has urged legal practitioners to make the evidentiary analysis more flexible when resolving disputes that reflect the subordinate position of women in the social system. This call extends to individuals, especially companies, when dealing with matters relating to sexual harassment in the workplace.

12. DURATION OF THE INVESTIGATION

The Committee has five working days to conduct the investigation. This period may be extended by up to five additional working days, if the Committee considers it necessary, in view of the particularities of each case and the need to gather the corresponding evidence.

13. COMMITTEE DECISIONS

After the investigation, the Committee shall issue a decision. Here it shall inform the parties involved the measures or corrective actions to be implemented. The decision adopted by the Committee shall be relayed to the Company's Human Resource Department, which shall proceed with determining or selecting the corresponding sanction, after conducting the respective disciplinary process, based on the Company's Internal Workplace Rules and Regulations and other policies applicable to cases of sexual harassment in the workplace. This Department shall be responsible for applying the measures in accordance with the appropriate legal procedures while observing that stipulated in the Company's Internal Workplace Rules and Regulations.

In the case of agents, contractors, interns, trainees and other persons participating in the work place, the respective measures shall be implemented and notified by the Human Resource Department.

13.1. Reviewing the decisions made.

The decisions of the Committee may be reviewed within three working days of having communicated the decision arrived at. This review may be requested in writing by the complainant or the person against whom the complaint was brought and the Committee shall respond within a period not exceeding five working days from having received the respective request. Once this review procedure has been completed, the decision arrived at shall be considered final.

13.2. Communicating the situation to the person supervising the persons involved

Some protective measures may include changing the working conditions of the people involved. For example, remote working, temporary change of functions, suspensions, among others. In this case, the Committee must inform those who supervise the persons involved of the existence of the procedure in progress, and the supervisor must facilitate the corresponding conditions so that both the protection measures and the sanctioning measures, when applicable, can be implemented correctly.

This information does not imply any breach of confidentiality, as long as the details of the case and the particular circumstances in terms of the time, manner and place in which the reported facts occurred are not disclosed.

13.3. Sanctions

Sanctions such as verbal or written reprimands, suspensions, and even the termination of the employment or contractual relationship may be applied in the most serious cases, under the terms of the Internal Workplace Rules and Regulations, the applicable legal regulations and the provisions included in the contract that binds the parties, in the case of agents, contractors, interns, trainees and other persons involved in the work environment.

When establishing the sanction or consequence, the following must be taken into account: the repeated and/or recidivist nature of the conduct, the seriousness of the facts, and the existence of previous processes and corrective measures. In addition to the particular consequences and sanctions, and in the event that the person against whom the complaint is brought remains in the Company, the Committee shall establish measures to ensure the non-repetition of the type of conduct in question.

14. PROTECTION FOR WHISTLEBLOWERS

Whistleblowers and/or their witnesses shall enjoy special protection against any manifestation of retaliation, in view of the decision that the Company may adopt as a result of the complaint filed, or in view of the respective investigation.

15. RIGHTS OF PERSONS UNDER INVESTIGATION

Persons investigated for alleged sexual harassment shall have the right to due process, to the presumption of innocence, to impartiality, to information, to know the facts of the complaint or accusation, among others, in accordance with the applicable constitutional, legal and jurisprudential framework.

16. GUARANTEES OF REDRESS AND NON-REPETITION

Once the procedure has concluded, the complainant may state the ways in which he or she wishes the situation to be redressed. The Committee shall determine the appropriateness of such action, which in any case may not violate the dignity of the person responsible, nor involve the delivery of money, and shall proceed to confirm such measure.

17. CONFIDENTIALITY

Confidentiality is aimed at protecting the integrity of the care given and embodying the principles that govern the Company's actions. Confidentiality, then, covers those persons who are involved in analyzing and investigating the case and is aimed at not compromising their decisions by means of factors outside those established in the procedure.

Should it be necessary for third parties to intervene, the members of the Committee are duty-bound to inform them that the obligation of confidentiality shall be extended to said parties. The corresponding investigations must be carried out in a confidential manner, allowing only for the disclosure of the data that is needed in order to carry out the required investigations and corrective measures. The Ethics and Compliance Committee shall maintain absolute confidentiality regarding the identification of the person making a complaint.

The obligation of confidentiality in the measures arising from the procedure is understood to be an extension of the obligation enshrined in the corresponding employment contracts and in no case can such obligation be understood as the alleged victim renouncing his or her ability to talk about what happened.

It is therefore important that, at the beginning of the procedure, the parties involved are reminded of: The obligations of the Committee and the personnel in charge of applying the procedure as well as the complainant and the person against whom the complaint is made. The scope of confidentiality that should be defined in a communication signed by the parties.

18. COMPLAINTS REGARDING EVENTS OCCURRING PRIOR TO CARRYING OUT THE PROCEDURE

In this case, the Committee shall process the complaint in accordance with the guidelines established in the Ethics and Corporate Governance System in force at the time when the facts occurred. These guidelines shall guarantee a gender focus and will be carried out in accordance with the principles of due diligence, zero tolerance and non-repetition.

19. PRESUMPTION OF CRIMES

In the event that the persons in charge of processing the complaint conclude that the facts described therein contain characteristics of a criminal offense, the necessary protection measures must be established and the legal mechanisms activated. This situation will imply that the Company shall actively collaborate with the competent authorities and maintain its internal protection measures until the legally authorized authority declares the appropriate precautionary measures for the case in question, which must be complied with in a timely manner by the Company.

20. “ESCRACHE” AND CONFIDENTIALITY

“Escrache” or exposure refers to acts of public condemnation, either individual or collective, of facts relating to sexual or gender violence. For the Constitutional Court³, the publication of complaints relating to the commission of criminal acts can generate multiple impacts to the fundamental rights of the persons publicly accused. Therefore, exercising the right to complain (the manifestation of freedom of expression), must respect certain internal and external limits, the first of these being: *(i) compliance with the burdens of truthfulness and impartiality and (ii) the prohibition of engaging in conduct that constitutes “persecution”, “harassment” and “cyberbullying”,* and in the second case this refers to respect for fundamental rights such as honor, good name, privacy and presumption of innocence.

In this situation, the Company must seek to address complaints and resolve cases promptly so that the institutional service channels are configured as legitimate means for resolving possible conflicts relating to issues of sexual harassment among people who form part of the Company and who are prioritized with regard to other forms of public complaints.

21. GOVERNANCE

The Compliance and Human Resource Departments are responsible for updating and disseminating this procedure. Any amendments to these procedures must be approved by the Ethics Committee.

³ Rulings T-361-19 MP Alberto Rojas Ríos, T-275-21 MP Paola Andrea Meneses Mosquera, T-061-22 MP Alberto Rojas Ríos.

Refs:

Constitutional Court, C-067-96 M.P. Antonio Barrera Carbonell
Constitutional Court, C-1177-05 M.P. Jaime Córdoba Triviño
Constitutional Court, C-258-11 M.P. Gabriel Eduardo Mendoza Martelo
Constitutional Court, C-848-14 M.P. Luis Guillermo Guerrero Pérez
Constitutional Court, T-361-19 M.P. Alberto Rojas Ríos
Constitutional Court, T-275-21 M.P. Paola Andrea Meneses Mosquera
Constitutional Court, T-061-22 M.P. Alberto Rojas Ríos
The Criminal Appellate Division of the Supreme Court. (April 16, 2015) SP4364-2015 M.P. Luis Guillermo Salazar Otero
Office of the Attorney General of the Nation. (n.d). Protocol for the investigation of sexual violence.
Obtained from: <https://www.fiscalia.gov.co/colombia/wp-content/uploads/Protocolo-de-investigación-de-violencia-sexual-cambios-aceptados-final.pdf>

ATTACHMENT. Flowchart of the procedure used for the disciplinary mechanism.


