TALISMAN COLOMBIA AND BLOCK 8:
ENGAGING WITH INDIGENOUS COMMUNITIES IN A
CONFLICT-AFFECTED ENVIRONMENT

BY ANA MARIA DUQUE, AMY JAREK AND JENNIFER POON

Human rights issues addressed
• Human rights and environment
• Indigenous people’s rights
• Occupational health and safety
• Right to education
• Right to food
• Right to health
• Security and conflict
• Social investment and community development
• Sphere of influence
• Standard of living

Human rights management practices addressed
• Getting started
• Strategy
• Policy
• Processes and procedures
• Communications
• Training
• Measuring impact and auditing

Human rights standards, tools and initiatives mentioned
• Voluntary Principles on Security and Human Rights
• World Resources Institute
• International Labor Organization Convention (ILO) 169
• UN Declaration on the Rights of Indigenous Peoples
• Organization of American States Declarations
• Fundación Ideas para la Paz’s “Conflict Sensitive Business Practice”

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The subject, Talisman Energy, Inc., has reviewed the text before publication. Peer review of the case study was provided by: Monica Bowen-Schrire, Senior Advisor, Strategy & Sustainability, Vattenfall; Jonathan Drimmer, Vice President and Assistant General Counsel, Barrick Gold Corp.; Gordon Glick, Head of Global Partnerships, Plan International; Errol Mendes, Editor-in-Chief, National Journal of Constitutional Law, University of Ottawa; Albert Kwokwo Barume, Head of the Programme on Indigenous Peoples, ILO; and Rita Anne Roca, Senior Specialist, Human Rights, Vestas. Sara Ellison & Esther Rodriguez of KMPG observed.
Abstract

This case study examines how Talisman Colombia Oil and Gas Ltd. (TCOG), a subsidiary of Talisman Energy Inc. (Talisman), undertook community engagement with indigenous communities in a complex, conflict-affected environment during a joint exploration project in Block CPE-8 (Block 8) in Colombia.

As a signatory to the United Nations Global Compact (UNGC), Talisman and its subsidiaries seek to respect human rights in all business activities. In particular, TCOG’s activities in Colombia were informed by Principle ‘One’ and Principle ‘Two’ of the Compact. The two Principles state that: “Businesses should support and respect the protection of internationally proclaimed human rights;” and that “Businesses should make sure they are not complicit in human rights abuses,” respectively. ^2 Talisman has also enshrined commitments to protect human rights and operate responsibly in two corporate policy documents, the Policy on Business Conduct and Ethics^3 and the Global Community Relations Policy.^4

To meet these commitments, TCOG undertook several efforts to ensure that its operations and engagement with the indigenous communities met or exceeded international best practice standards in regards to human and indigenous rights. These efforts included:

1. Conducting a detailed on-the-ground security risk assessment by senior security personnel trained in human rights issues management in Block 8. The assessment included a detailed analysis of the possible risks, potential for violence, the human rights record of security providers, the administration of the rule of law and a conflict analysis.

2. Entering into agreements with the Colombian Public Security Forces for the provision of security services in support of business operations that include a Memorandum of Understanding, which incorporates the Voluntary Principles on Security and Human Rights.

3. Sponsoring a process led by the Colombian Ministry of Defense to develop a Code of Conduct for guiding and regulating the Colombian Public Security Forces in their interactions with local indigenous communities. The Code was jointly developed and established by the Colombian Public Security Forces and local communities.

4. Partnering with an independent third-party observer, Fundacion Ideas Para La Paz, to monitor the engagement process and provide ongoing recommendations.

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(5) Developing a site-specific Code of Conduct for all actors engaged in activities on behalf of TCOG in Block 8 which incorporated cultural considerations.

(6) Developing a highly participative and tailored consultation process that sought to accommodate the communities’ unique communication needs and incorporate cultural considerations into impact assessment and mitigation plans.

TCOG was ultimately recognized for its community engagement performance in a prominent national petroleum magazine, *Dinero*, by the director of Colombia’s National Hydrocarbon Agency, who described TCOG’s processes as “absolutely impeccable.”

Unfortunately, on March 7th, 2011, in a highly publicized event, 23 contractors were abducted by an illegal armed group operating in the area. Within four months all abductees had been safely returned. However the strength of TCOG’s relationship with the communities, which was based on trust and mutual respect, allowed TCOG and the communities to face and overcome this crisis together in a collaborative manner. The case study will briefly address this incident and how it impacted community relations in Colombia.

The case study will first provide a company profile of Talisman. It will then describe the challenges TCOG experienced with the community engagement process in Block 8 and will also elaborate on how TCOG overcame these challenges. Finally, the case study will reflect on the lessons TCOG has learned from its experience in Block 8.

1. Company Profile

Established in 1992, Talisman Energy Inc. is a global upstream oil and gas company with headquarters in Calgary, Alberta, Canada. Talisman’s main business activities include exploration, development, and production of crude oil, natural gas and natural gas liquids. Main operating areas include North America, the North Sea and Southeast Asia. Talisman also maintains a diverse international exploration portfolio with interests in South America and the Middle East. Aggregate production at the end of 2011 was 426,000 barrels of oil per day, of which approximately 55% were liquids and oil-linked gas and 45% were natural gas. Talisman’s net income was $775 million in 2011.

Talisman has taken a number of steps to demonstrate its commitment to corporate responsibility, including becoming a signatory of the United Nations Global Compact in 2004 and becoming the first Canadian company to join the Voluntary Principles on Security and Human Rights initiative in 2008. As former President John Manzoni stated in Talisman’s 2010 Corporate Responsibility Report, “Wherever we operate, we try to minimize our impact on the environment, work with the support of local communities and share the economic benefits of our activities... We recognize that Talisman must

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produce energy safely, responsibly and with the support of communities impacted by our activities, in order to preserve our license to operate.”

In December of 2010, Talisman issued its Global Community Relations Policy (GCRP), which defines Talisman’s standards for engagement with communities, including indigenous and tribal communities residing in the areas of impact related to its projects. The Policy incorporates the broad principles of free, prior, and informed consent (FPIC) as recommended in a report commissioned by Talisman from Foley-Hoag, an internationally renowned legal and corporate social responsibility consultancy. The Policy was also informed by guidance provided by the World Resources Institute and several other expert organizations and individuals. The GCRP informed TCOG’s community engagement practices in Colombia.

2. The Case Story: Community Engagement Challenges in Block 8

2.1. Block 8

Talisman began investing in Colombia in 2001, acquiring several non-operated interests over the years. In September 2008, TCOG entered a joint exploration project in Block 8 as the operating partner with Ecopetrol, Colombia’s national oil company. TCOG is currently in the midst of exploration activities in Block 8.

Block 8 covers 2,392,424 hectares of land and is situated in Eastern Colombia, primarily in the municipality of Cumaribo in the department of Vichada. TCOG’s activities take place mainly in the northwestern section of Block 8. The land is a mix of rainforest and savannah. As of 2011, TCOG has invested $77.5 million in Block 8.

There are four indigenous reservations in Block 8: Saracure, Concordia, Chocon, and Unuma. The reservations are home to various indigenous communities. The majority of the people in the communities are of indigenous status (or descent), while a small minority is composed of settlers. TCOG encountered several challenging conditions in Block 8 which had to be taken under consideration during the community engagement process with the indigenous communities in the reservations.

2.2. Challenges with Community Engagement in Block 8

2.2.1. The presence of illegal armed groups

Block 8 is located in a remote area of Colombia. Its remoteness plays a part in drawing and sustaining illegal drug-trafficking groups in the area, including the rebel guerrilla group front of the Revolutionary Armed Forces of Colombia (FARC) and several other criminal gangs. By law, the presence of these groups necessitated Colombia’s public security forces in Block 8 to protect TCOG’s operations. The presence of public
security forces created a particularly sensitive situation considering the possibility that communities would develop a negative perception of TCOG’s presence in the area. TCOG also faced a heightened security risk due to the existence of these groups, which have a history of conducting attacks against the energy sector.

To better understand these challenges TCOG conducted a detailed on-the-ground security risk assessment by senior security personnel trained in human rights issues management in the block. The assessment included a detailed analysis of the possible risks, potential for violence, the human rights record of security providers, the administration of the rule of law and a conflict analysis. The results of this assessment informed the development of appropriate risk mitigation strategies and plans for the project as well as the establishment of agreements with the Colombian Public Security Forces for the provision of security services in support of business operations. These security provision agreements included a Memorandum of Understanding, which incorporated the Voluntary Principles on Security and Human Rights.

To further reinforce TCOG’s commitment to human and indigenous rights, the company also sponsored a process led by the Colombian Ministry of Defense to develop a Code of Conduct for guiding and regulating the Colombian Public Security Forces in their interactions with local indigenous communities. The Code was jointly developed and established by the Colombian Public Security Forces and the communities in 2011 and implemented during the exploration program. Social, cultural and corruption risks on both the directly impacted indigenous reserves and the indirectly impacted neighboring communities were also considered, reviewed, and updated on a regular basis.

2.2.2. Underdevelopment and lack of infrastructure

Because of its remote location, state presence in Block 8 is limited. The municipality of Cumaribo, where Block 8 is located, is recognized in various national surveys as one of the most underdeveloped zones of the country with respect to economic and social issues. The area lacks basic infrastructure such as paved roads, electricity, and running water, as well as administrative services such as police, schools, and hospitals. Roads and tracks are made of dirt making navigation difficult particularly during the rainy season. This impacts the accessibility of Block 8, the availability of communications, and the local economy due to a lack of proper infrastructure to support the transportation of goods.

The area also has a notable lack of civil authorities, including state representatives and offices. Government healthcare and education programs are insufficient. Due to a lack of clinics and hospitals on-site or near the villages, community members must walk several miles to reach the nearest clinics in urban centers. State mobile “health brigades” provide the only form of on-site health coverage, but the reach and effectiveness of the program is limited. In terms of education, only elementary schools covering grades 1-5

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are available on the reservations. The schools face a lack of teachers and educational supplies.

In an area of weak institutional presence with no local police or state authorities, and where the communities did not have much experience with extractive activities, TCOG had to be especially careful in demonstrating its commitment to fairness and integrity to avoid even the appearance of impropriety. Additionally, TCOG immediately worked with the communities to develop several social investment programs to improve the situation. Below is a snapshot of TCOG’s ongoing social development efforts in the four indigenous reservations overlapping TCOG’s activities in Block 8: Unuma, Saracure, Chocon, and Concordia, as well as information on the initial conditions of the reservations.

*Snapshot of the Conditions of the Indigenous Reservations of Block 8*

<table>
<thead>
<tr>
<th>Reservation</th>
<th>Unuma</th>
<th>Saracure</th>
<th>Chocon</th>
<th>Concordia</th>
</tr>
</thead>
<tbody>
<tr>
<td>Major Ethnicity(ies)</td>
<td>Sikuani; Piapoco</td>
<td>Piapoco; Sikuani</td>
<td>Piapoco</td>
<td>Piapoco</td>
</tr>
<tr>
<td>% of Project within the Reservation</td>
<td>39%</td>
<td>9%</td>
<td>3%</td>
<td>3%</td>
</tr>
<tr>
<td>Approximate Population</td>
<td>2800</td>
<td>5000</td>
<td>200</td>
<td>180</td>
</tr>
<tr>
<td>Number of Schools &amp; Students in the Reservation</td>
<td>6 elementary schools; 301 students</td>
<td>9 elementary schools; 184 students</td>
<td>1 elementary school; 78 students</td>
<td>1 elementary school; unavailable</td>
</tr>
<tr>
<td>Number of Block 8 Schools &amp; Students</td>
<td>13 elementary schools; 902 students</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Availability of Health Services</td>
<td>No clinics or hospitals on-site or nearby. Community members must walk several miles to reach nearest clinics in urban centers. On-site service delivery depends on mobile “health brigades” that periodically travel across the reservations providing health promotion and coverage. Most community members rely on traditional healers for health services.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Description of Infrastructural Conditions</td>
<td>No running water; no electricity; accessible by dirt-track roads only.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TCOG Social Development Focus Areas</td>
<td>(1) Food sovereignty projects: provision of chickens, pigs; cassava graters and roller mills for rice; support for the Vichada departmental program for food security. (2) Stockbreeding projects. (3) Education: provision of textbook translations and school endowments; classroom building projects. (4) Institutional strengthening: building of bridges, emergency transport, and infrastructure for basic services such as energy.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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11 Data based on primary research conducted during the social baseline component of the environmental/social impact assessment (ESIA) conducted as part of TCOG’s initial entry into Block 8 in 2009, as well as primary research conducted by TCOG security contractors in February 2009.
2.2.3. Cultural Barriers

In Block 8, each community speaks one of two distinct languages, Sikuani or Piapoco, based on which ethnic group they belong to (also termed Sikuani or Piapoco). All the communities in Block 8 share a similar culture and worldview tied to their intimate relationship with the land. Linguistic and cultural differences had to be taken into account during the consultation phase of the community engagement process.

In terms of the communities’ communication needs, although some members of the communities can speak and read very basic Spanish, most only speak either Piapoco or Sikuani. There is a lack of reliable translators for these dialects. Moreover, because the communities’ worldview is informed largely by their grasp of the natural, physical world, they have a different understanding of such abstract concepts as “time.” No future tense verbs exist in the Piapoco and Sikuani languages. As a primarily oral culture, the communities favor visual and spoken forms of communication.

The Piapoco and Sikuani have a distinct calendar of activities intimately linked with the natural cycles of the land. Sowing, harvesting, hunting and fishing are carried out according to different seasons. The seasons are identified using the appearance of certain constellations which correspond to changes in weather. Certain trees and plants are also considered sacred. Traditional medicine men, who identify sacred plants to cure illnesses, have a vital role in the communities offering guidance to individuals, making important community decisions, and providing health services.

TCOG had to develop methods to ensure that effective communication and understanding were taking place, especially in communicating the concept of seismic activity and its impacts. It also needed to find ways to minimize its impact on the communities’ traditional lifestyle and avoid any practices that would offend their cultural beliefs. This meant working together with them to accurately identify their calendar of activities, and to incorporate cultural considerations into the impact assessment and mitigation plans.

Two other factors also informed how the consultation process ultimately took shape. First, TCOG had to respect the commitments made in Talisman’s Global Community Relations Policy and conduct consultation in the spirit of upholding broad principles of free, prior, and informed consent. Secondly, as Colombia is a signatory to International Labor Organization Convention (ILO) 169\(^\text{14}\) regarding indigenous rights, a stringent consultation process documented in both law and regulation is required. As such, when companies decide to engage in exploration projects on indigenous lands in

\(^{12}\) 46% of the project does not affect any reservation.

\(^{13}\) Numbers are for the amount of schools registered under the Ministry of Education per reservation. The territories of the Unuma and Saracure reservations extend beyond the boundaries of Block 8.

\(^{14}\) International Labor Organization (ILO) Convention 169: This is a legally binding international instrument open to ratification, which deals specifically with the rights of indigenous and tribal peoples. It came into force in 1991. Today, it has been ratified by 20 countries, including Colombia. The Convention requires that indigenous and tribal peoples are consulted on issues that affect them. It also requires that these peoples are able to engage in free, prior and informed participation in policy and development processes that affect them. Source: Convention No. 160, 2011. International Labor Organization. 25 April 2012.

Colombia, they must first undertake a “Prior Consultation” process whereby they inform and consult with indigenous communities regarding the project through various workshops prior to the commencement of activities. The intent of this process is to gain community support for the project, even though consent is not legally required for the project to proceed. The Colombian Constitutional Court has made numerous statements relative to the rules and standards that the Colombian State is to follow for Prior Consultation. These standards include the concepts of: (i) good faith; (ii) inter-cultural communication; and (iii) accurate, sufficient information. The foregoing principles are inspired by other international vehicles such as the United Nations Declaration on the Rights of Indigenous Peoples, and the Organization of American States Declarations. TCOG developed its consultation process within the framework of expectations set by both the Global Community Relations Policy and Colombian regulations.

Colombia has been part of ILO Agreement 169 since 1991, and to support this commitment, it has created norms and regulations intended to guarantee the Right of Prior Consultation that has constitutional status in the Colombian State.

2.3. Encounter with the Revolutionary Armed Forces of Colombia (FARC)

As stated previously, one of the largest challenges faced by TCOG in Block 8 was the heightened security risk due to the presence of illegal armed groups in the area, particularly the FARC, which has been active in this territory since the 1960s. Due to this security risk, Talisman implemented comprehensive security and human rights protocols to support business operations. This preparation, as well as two and a half years of community consultation and engagement, was put to the test during an abduction incident that occurred during the acquisition of seismic data to inform exploration activities.

At 2:15 pm on March 7th, 2011 a call from the field notified TCOG that twenty-three of its contractors had been abducted. Four armed men had forced the contractors to leave the area and walk in the direction of the jungle. Because TCOG practices local hiring, sixteen of the contractors were members of the communities in Block 8, and eleven were of indigenous status.

On the same day, one of the abductees managed to escape. The next day, on March 8th, twenty-one of the remaining contractors were safely released. Four months later, on July 28th, 2011, the single remaining abductee was returned. All of the abductees were safely released by the FARC of their own volition without interference or involvement of TCOG.

In the next section, we will examine the indigenous communities’ reaction to this event, how it affected their relationship with TCOG, and what role the community engagement process played in the successful resolution of this crisis.
3. Overcoming the Challenges: TCOG’s Approach in Block 8

TCOG faced several challenging conditions in regards to community engagement in Block 8. In an area affected by conflict and where the indigenous communities could be perceived as particularly vulnerable due to the lack of local state authorities, TCOG’s aim was to provide a stabilizing, peaceful presence, avoid any activities that would aggravate the security situation, and act in a manner that would prevent scrutiny. It also needed to conduct consultation in a manner that accommodated the communities’ unique linguistic needs and cultural concerns in order to gain genuine support for the project. Below are three measures TCOG put into place to accomplish these objectives, followed by an account of how the abduction incident affected the community engagement process in Block 8.

3.1. Partnering with an Independent Third-Party Observer

The environment in Block 8 necessitated a significant degree of transparency for all of TCOG’s activities. In order to demonstrate its commitment to integrity and fairness, TCOG partnered with a local civil society organization, Fundacion Ideas para la Paz (FIP), as an independent third-party observer of its community engagement process. By doing so, TCOG could not only ensure the integrity of its reputation by having independent verification of its activities, it could also garner insights from FIP about how to improve its practices on the ground. FIP monitored and documented the day-to-day progress of TCOG’s engagement with the indigenous communities and provided ongoing reports and recommendations as a third-party observer.

3.1.1. Choosing a Partner: Fundación Ideas para la Paz (FIP)

Established in 1999 by Colombian businessmen, FIP is a respected think tank with the mission of helping to overcome the armed conflict in Colombia and build sustainable peace through various projects and initiatives. FIP seeks to promote a new understanding of corporate social responsibility attentive to human rights protection, peace-building, and observation of international standards for business operations in conflict-sensitive or weak governance areas. As an organization, FIP was a good fit for TCOG’s needs as a third-party observer in terms of its expertise and organizational values.¹⁵

3.1.2. Fine-tuning Expectations

Defining FIP’s exact role and duties was an important part of the process to developing a healthy working partnership between FIP and TCOG. As a first step, FIP and TCOG communicated their needs and expectations to each other. FIP was to be a neutral observer, and staff had to be careful not to unduly intervene in the proceedings in order to preserve their objectivity. At the same time, TCOG required day-to-day input on its progress rather than merely a final report in order to adjust and improve the

¹⁵ For more on FIP, please see http://www.fundacionfip.org.co/
engagement process with the indigenous communities within the Prior consultation framework in real time. For that purpose, FIP had to be able to offer ongoing expert advice which would inform the process.

Ultimately, responsibilities were clarified in a formal agreement that observers supplied by FIP would “look, observe, record, and provide insights” on areas of improvement to TCOG based on its “Conflict Sensitive Business Practice” methodology, but they would not talk on behalf of the community or the company, or engage with and report to other actors. The agreement subscribed to by the parties also expressly established that the FIP would fulfill all obligations in an autonomous, independent manner and established a payment schedule through which TCOG would remunerate FIP for the services provided.

According to the agreement, FIP was to undertake the following activities:

1. Actively participate in meetings with the community, whereby FIP would attend all meetings in the field and provide insights;
2. Observe the proceedings with a critical eye;
3. Document the activities, participants, behaviors, comments, questions, etc. of the actors involved in meetings; and
4. Periodically provide informative and constructive reports in meetings with TCOG.

3.1.3. Implementation of the Partnership

Implementation of the partnership went largely according to plan:

1. Active participation: Ultimately, one member of FIP accompanied TCOG staff to every activity in the field during the project. This included activities held during the Prior Consultation workshops, planning sessions, feedback sessions, and meetings with community members, government agencies, and other companies. FIP participated in discussions and offered insights.

2. Observation: FIP rotated observation among all groups, walking around to gauge the reactions and behaviors of the participants. However, it did not lead any activities itself during the workshops in order to maintain its neutrality.

3. Documentation: FIP documented the discussions and decisions reached during the planning sessions, the activities held during the workshops, the communities’ reactions, and other contextual elements, such as if other civil society organizations became operative in the area or if particular issues arose.

4. Reporting: Lastly, FIP provided periodic reports to TCOG that included not only documentation of the aforementioned activities, but also identified upcoming
challenges, provided recommendations, and highlighted key issues to which TCOG should pay attention.

3.2. Developing a Site-Specific Code of Conduct

Given that there were multiple parties engaged in activities on TCOG’s behalf in Block 8, including TCOG’s own employees, contractors, subcontractors, partners such as FIP, and the Colombian public security forces, TCOG needed to ensure that behavior regarding human and indigenous rights would be consistent across its area of operations. All those acting on TCOG’s behalf and on behalf of the communities themselves had to be aware of the expectations for appropriate conduct in Block 8. To this end, TCOG, the communities, and the public security forces came together to jointly develop a Block 8 site-specific Code of Conduct. Development of the Code was highly participative and took place in a series of multi-stakeholder workshops. The Code takes local cultural considerations into account.

3.2.1. Provisions of the Code

The Code of Conduct applies at all times and in all places. Those bound by the Code are required to “endeavor to maintain harmonious and respectful relationships with the settlers, the indigenous communities and the environment.” They are to “avoid discriminatory conduct whether for reasons of culture, beliefs, ethnicity, gender, age, disability or physical handicap, political position or religion” and “respect the beliefs, uses, and costumes of the local population.” Specific provisions bar entry into homes unless an explicit invitation is extended, a rule that the indigenous communities found especially important.

The Code also appeals to internationally recognized norms and standards as well as local legislation. It stipulates that, “every activity must be based on the respect for Human Rights, the Voluntary Principles of Security and Human Rights, the National Political Constitution of Colombia, the Colombian Indigenous Legislation Agreement 169 of the International Labor Organization and all other applicable norms.”

3.2.2. Distribution of the Code

The Code was published in small pocket-sized books and cards and distributed to the communities and anyone working in the field. This ensured that all parties in Block 8 are aware of the Code.

3.3. Developing a Tailored Consultation Process

TCOG needed to accommodate the indigenous communities’ linguistic and cultural needs in the consultation phase of the community engagement process. To accomplish this, TCOG first undertook a knowledge-gathering exercise through the development of a social and environmental baseline assessment and then, as per the requirements of the Prior Consultation process, TCOG participated in two workshop
series with the communities. The first workshop series was essentially a mutual learning exercise whereby TCOG gained an understanding of the communities’ calendar of activities and traditional lifestyle, and where the communities gained knowledge of TCOG’s seismic operations in the area. In the second workshop, TCOG and the communities worked together to avoid and mitigate any potential negative impacts caused by TCOG’s operations. TCOG took a tailored, creative approach towards ensuring that effective communication was taking place during the consultation process, and that the communities’ cultural concerns were taken into account during the project.

3.3.1. Knowledge Gathering

In preparation for the consultation process, a specialized team including TCOG professionals as well as four anthropologists, two male and two female, lived among the communities for three months. The team gathered knowledge of the communities’ cultural, social, economic, and political characteristics, with the ultimate goal of understanding their worldview. The team’s inputs were included in the social baseline data study conducted for Block 8 and also provided background information for the consultation process.

3.3.2. The Prior Consultation Workshops

TCOG then participated in two series of workshops led by Colombia's Ministry of Interior, as stipulated by the Prior Consultation process. Both of the workshop series were highly participatory and took place on the indigenous reservations with translators at hand. Security was provided in accordance with agreements made with the Colombian Public Security Forces. Members of the community sat in groups of a maximum of nine people, with at least one person fluent in both Spanish and the native dialect in each group in order to transcribe the reflections of the group. Significant time was allotted to allow for individuals to express their ideas both verbally and graphically. At the end of each session, the group was asked to produce a synthesis of their ideas, with issues that the group could not forge a consensus on also noted. After feedback from all the groups was collected, a discussion was held to reconcile different viewpoints and elaborate on key concepts.

3.3.3. Workshop Series One: Mutual Information Exchange

In the first series of workshops, the communities produced a calendar of activities for TCOG so that TCOG could gain a better understanding of their traditional lifestyles, and TCOG provided information on the seismic exploration it planned to conduct in the area.

The communities had to work together to agree on an accurate calendar of activities. Ultimately, the calendar took into account, from the indigenous peoples’ point of view, the natural events marking the beginning and end of a designated period, relevant astronomical events, important cultural dates, and the activities commensurate to each of these markers. A timeline of fishing, hunting, crafting, building cassava-
processing activities, rites, and festivals was also produced. Customs and traditions were outlined.

TCOG then informed the communities of its intent to conduct seismic exploration in the area and sought to explain the concept of seismic activity. It presented commonly used terms in environmental studies for seismic exploration, with an emphasis placed on the relationship between impact and management measures. Approximate terms in the relevant dialect were used in making reference to such concepts as cause and effect, prevention, control, mitigation, compensation, and others in order to prepare the way for the second series of workshops on impact assessment and mitigation. Cognizant of the communities’ preference for visual media, TCOG used appropriate pedagogic tools to illustrate the seismic project, including a dramatization of the project, an explanatory video, and an interactive guidebook.

The interactive book was titled *The Proyecto Dajitaneja y el Resguardo*, or “The Dajitaneja Seismic Project.” It aimed to help the communities understand the process and activities of seismic exploration and to assist them in thinking about how it affected them. The book was published in Spanish and relied mainly on illustrations to convey information. The chosen format was to have one page that explained the project, while the next page would ask certain questions, leaving blank spaces for the reader to fill in. In terms of content, TCOG introduced itself, explained what the project was and what steps it involved. It also provided detailed illustrations on soil layers, drilling, cleaning and restoration, where transport routes and camps would be, and what would happen once seismic results were confirmed. On the blank pages, community members were asked to write down an introduction of themselves, their daily activities, their location on the reservations, and what they considered good community-company relations. At the very end of the book, readers were asked to reiterate what they knew about the project so as to facilitate internalization of the information.

### 3.3.4. Workshop Series Two: Impact Assessment and Mitigation Planning

In the second set of workshops, the communities were asked to identify their perceptions of the possible impacts from the proposed exploration activities, keeping in mind the calendar of activities they had outlined in the first series of workshops. To cater to the communities’ preference for visual mediums, a color-coded impact matrix was used in rating the potential impacts as positive, irrelevant, and possibly negative. Columns listed the activities of the project and rows listed the environmental, socio-cultural and economic components that could possibly be affected by the activities. There was space provided to elaborate on how the components could be affected, as well as extra rows for other less tangible and harder-to-classify cultural components. The rating of the potential impacts was conducted using the image of a traffic light, with the green color identifying the effects considered positive, yellow for those considered irrelevant and red for those that posed a concern.

After these potential impacts were identified, TCOG worked with the community to collectively create plans to prevent, mitigate and correct them, especially those with
special cultural significance. The community’s traditional medicine men were employed by the team and played a pivotal role in creating these impact mitigation plans. Together, TCOG, the community, and the medicine men determined such things as where to build helipads such that the noise would not scare off the animals, which would have made hunting difficult, and where to prohibit deforestation so that sacred trees (as identified by the medicine men) would not be harmed.

As a result of the 13-month prior consultation process which included over 100 workshops, the communities of the indigenous reservations accepted and approved of the exploration project. This acceptance was documented in the form of written agreements signed by the representative authorities of each of the reservations and the Ministry of the Environment, and are reflected in written minutes kept under the custody of the Ministry of the Environment.

3.4. Community Response to the Seismic Program and the March 7th Abduction Incident

After obtaining the consent and support of the indigenous communities, TCOG initiated its exploration activities in block 8 in September 2010. A planned 1,502-kilometer seismic program commenced in November, using local labor contracted from the reservation for all unskilled labor positions. Progress was slow due to difficulties and delays caused by bad weather and difficult security and logistic conditions, but 249 kilometers of seismic data had been acquired in the territory of the Unuma reservation prior to the abduction incident on March 7, 2011.

After the abduction of the 23 contractors, TCOG representatives remained in permanent contact with indigenous community leaders from the area. From the beginning the communities were updated and informed regarding the progress of search and rescue efforts conducted by the armed forces. Additional support was also provided to the families of those who were abducted, by Pais Libre, a civil society organization specializing in abduction and kidnapping issues.

The indigenous communities responded with strong support for TCOG throughout the abduction incident from March 7th, 2011 until the situation’s ultimate and positive resolution on July 28th, 2011. When the abduction occurred, the communities publicly condemned the incident. They also sent letters and made numerous calls to the media and public officials expressing their support for TCOG’s presence in the region and concern over the future of the project. The community members proved to be invaluable teammates as advocates during the incident and, with their knowledge of the terrain, as effective guards following the incident.

Fortunately, the abduction incident ended up consolidating support for the project and enhanced the strength of the relationship between TCOG and the communities. It can be said that the communities’ advocacy efforts on behalf of TCOG during this time of crisis also served to confirm the success of TCOG’s community engagement process in garnering support for the project.
4. Lessons Learned

Below are reflections from and a summary of lessons learned from TCOG’s community engagement process in Block 8.

4.1. Partnering with an Independent Third-Party Observer: Lessons Learned

TCOG’s partnership with FIP was deemed a success in several respects.

(1) Its documentation of TCOG’s community engagement process provided a much-needed degree of transparency to TCOG’s activities.

(2) The partnership set an important precedent for industry-civil society collaboration by demonstrating the viability of such partnerships, and that interaction between the private and civil society sectors in general can be a constructive process.

(3) The partnership provided mutual learning opportunities for both sides: for TCOG to grow in sophistication in terms of its community engagement practices and for FIP to add to its body of practical knowledge on how companies can conduct business in conflict-affected areas.

(4) Most importantly, FIP demonstrated its value as a partner on the ground in several instances through its real-time insights and recommendations. Several miscommunications with the communities would have occurred without the expert advice provided by FIP, as they were more knowledgeable of the local culture and context.

As to key lessons for the company, TCOG learned the following:

(1) It is important for a third-party partner to have local expertise, as contextual knowledge can prove crucial to engagement efforts.

(2) It was also very useful to have had a formal agreement in place for the partnership. The agreement ensured that the “observer” role would be carried through appropriately, and also clarified expectations on both sides as to what was or was not feasible ahead of time.

FIP provided the following insights as to its experience:

(1) Regular consultation with other actors like the national government regulators who are accustomed to playing a monitoring role is very important in order to build trust.

(2) A certain degree of flexibility is required regarding schedules as the process will most likely evolve.
3. The civil society organization partner needs to commit to going to the field where developments are happening in order to gain the best perspective on the process.

4.2. Developing a Site-Specific Code of Conduct: Lessons Learned

Developing a site-specific Code of Conduct allowed TCOG to accomplish the following:

1. Demonstrate a formal commitment to respect the rights of community members.

2. Keep behavior consistent across its operations in Block 8 in regards to human rights and interactions with indigenous community members with all actors engaged in activities on behalf of TCOG.

3. By integrating cultural considerations, the Code also actively mitigated the risk of an adverse incident from occurring due to a misunderstanding with community members.

TCOG learned the following lessons:

1. All actors affected by the Code, including the public security forces and the community members, needed to participate in the development of the Code in order to ensure its relevance and create buy-in.

2. Development of the Code was not enough. Distributing the Code through pocket-sized books, cards, and other relevant media created crucial awareness of the Code, without which the Code could not have taken effect.

4.3. Developing a Tailored Consultation Process: Lessons Learned

Developing a tailored consultation process allowed TCOG to accomplish the following:

1. Demonstrate its commitment to obtaining the free, prior and informed consent of the communities through the emphasis placed on effective communication with the communities.

2. Genuinely engage with the communities so that it could develop meaningful impact assessments and impact mitigation plans such that the relationship between TCOG and the communities could remain without incident in this regard throughout the phases of the project.

TCOG learned the following lessons:
(1) It is important to be open-minded and flexible enough to forego culturally-based assumptions. The company must realize that the communities involved may hold vastly different, yet equally valid, worldviews. The communities’ definition of what constitutes an “impact” may be different from the company’s.

(2) It is also important to collectively build impact assessments and mitigation plans. It was extremely useful to involve community “experts” in the process, similar to what TCOG did with the medicine men, as they understand the communities’ worldview and often have the respect and support of community members.

(3) Finding reliable and appropriate translators for the Sikuani and Piapoco dialects proved to be a challenge. Sometimes, staff would provide a presentation using several numbers and figures, none of which would be mentioned during the translation. Quality assurance for translators, especially in rare languages, is an ongoing issue and an area for further thought and research.

(4) Furthermore, regarding the translation issue, although some community members with some Spanish language skills volunteered as translators at first, they later withdrew as they eventually became to be perceived as being responsible for the “success” of the discussions as well. It would have been useful to find some way to communicate from the outset the distinction between the role of a translator and that of a negotiator to the communications.

4.4. Responding to a Crisis: Lessons Learned

TCOG learned two key lessons from the abduction incident:

(1) Maintaining constant and open communication with the indigenous communities during the crisis was critical to minimizing the impact of the incident. It also provided useful, real-time feedback about the perceptions and concerns of the communities, and the potential impact that the abduction could have on the project.

(2) Developing and implementing a recovery plan to address the concerns and perceptions of various stakeholders following the crisis was very helpful in addressing the reputation impact of the incident in a systematic way.

5. Conclusion

TCOG based its approach with indigenous communities in Block 8 on three fundamental values: transparency, fairness, and cultural awareness. This approach allowed for the development of a community engagement strategy that proved its worth during the abduction incident. Talisman learned that although unfortunate events such as the abduction incident may occur, a solid community engagement process is the key to building a strong relationship with communities that can be relied upon in such times of crisis. Although the following can only remain a speculation, the indigenous
communities’ demonstrated support for TCOG may have significantly contributed to the successful return of the hostages, as illegal groups such as the FARC cannot afford to alienate the communities in their areas of activity. In this case, a successful community engagement process may have ultimately proved to be critical to the ability of the overall exploration project to continue.