

**MEXICO CITY, 26 AGO 2016**

Ms. Lindsay Brumwell
JPAC Chair
Commission for Environmental Cooperation
393, rue St-Jacques ouest, bureau 200
Montreal QC H2Y IN9

Dear Ms. Brumwell:

On behalf of the Council, I would like to thank the Joint Public Advisory Committee (JPAC) of the Commission for Environmental Cooperation (CEC) for its Advice to Council Number 16-01: Regarding the Meaningful Engagement of the Traditional Ecological Knowledge Roster of Experts in the Work of the CEC, developed in consultation with the TEK Roster of Experts. This advice is based on various consultations and interactions with the TEK Roster of Experts, beginning with the 2015 Council Session in Boston and culminating in the two-day workshop held on 14-15 March in Mexico City.

We would like to thank the JPAC for participating in the March workshop with the TEK Roster of Experts, Party representatives, and the Secretariat in Mexico City and to thank you sincerely for your subsequent efforts to ensure that the TEK Roster of Experts were consulted and their views incorporated into the recommendations in Advice 16-01. When Council created the TEK Roster of Experts last year, it emphasized the importance of working effectively with North American Indigenous Peoples and local communities to incorporate traditional ecological knowledge into the work of the CEC. Council is pleased to note that engagement with the TEK Roster of Experts' at the CEC is being done in a meaningful and respectful manner, taking into consideration the need to respect each nation's autonomy and protocols, to understand the need for prior, free and informed consent of affected communities, and giving due regard to the existing international and national human rights frameworks on Indigenous rights.

Council Response:

The Parties have read with interest the JPAC's recommendations on a way forward for meaningfully engaging the TEK Roster of Experts and are pleased that these recommendations were prepared with the full collaboration and participation of the TEK Roster members.

Council now directs our government officials, in consultation with the TEK Roster of Experts, to review and revise, as needed, the Terms of Operation for the TEK Roster of Experts, which were adopted in 2015 to provide guidance on the Experts' participation in

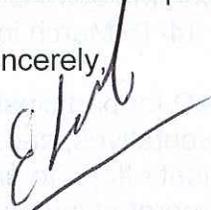
the CEC structure. This last year has convinced us that the structure created by the existing Terms of Operation is not conducive to the level of participation we envisioned, nor does it align with the expectations of the JPAC and the TEK Roster of Experts. Revised Terms of Operation should better align the expectations of the CEC's bodies and develop a defining standard of engagement for the inclusion of TEK principles in environmental decision-making processes across North America.

Council further directs the Secretariat, in collaboration with the JPAC and the TEK Roster of Experts, to develop the following three documents with the expectation that initial drafts will be available to the Parties for review soon after the Council meeting:

- A TEK Statement of Principles to guide the work of the CEC as well as guide the CEC's relationship with and engagement of the TEK Roster of Experts;
- A TEK Guidance document outlining opportunities to engage and communicate local and Indigenous Peoples' ecological knowledge in the work of the CEC;
- A North American TEK Inventory/Atlas that would identify and map TEK knowledge within North America including, for example the location of TEK experts and their area of expertise, based on principles of ownership respect and rights protection.

We truly appreciate the time and dedication it took to prepare this thoughtful and thorough advice. We are grateful for your wise council and for the important contributions the JPAC continues to make as we work together on our shared priorities.

Sincerely,



Enrique Lendo
Alternate Representative for Mexico

cc: Louise Métivier, Alternate Representative for Canada
Jane Nishida, Alternate Representative for the United States
Cesar Chavez, CEC Executive Director
Marcela Orozco, JPAC Liaison Officer