

Terms of Operation

Traditional Ecological Knowledge Expert Group

June 2017

Introduction

Article 9(5)(a) of the North American Agreement on Environmental Cooperation (NAAEC) provides that the *Council of the Commission for Environmental Cooperation (CEC or the Commission)* “may establish, and assign responsibilities to, ad hoc or standing committees, working groups or expert groups.” Moreover, Council Rule of Procedure 7.1 states that “the Council may establish and assign responsibilities to ad hoc or standing committees, working groups or expert groups as it may require to fulfill its mandate”, that “the Council shall establish the terms of reference, guidelines and budget for the committees and groups”, and that “the Council may request the Executive Director to assist in carrying out these functions.”

Authority

- Pursuant to Article 9(5)(a) of the NAAEC the Council hereby establishes the Traditional Ecological Knowledge Expert Group (Expert Group) (formerly the Roster of Experts on Traditional Ecological Knowledge) which is to be composed of individuals identified by the Council members as expert advisors on Traditional Ecological Knowledge (TEK). Also, in accordance with Council Rule of Procedure 7.1, the Council hereby establishes the Terms of Operation applicable to the Expert Group and sets forth their intended operating rules.

Functions

- When requested by Council, through the Alternate Representatives or the General Steering Committee, the Expert Group will, individually or as a group, provide advice to the Council on opportunities to apply TEK to the CEC’s operations and policy recommendations. The Expert Group may also provide advice and guidance on the application of TEK to ongoing CEC work and undertake other activities as the Council may request.

Membership and Structure

- The Expert Group is to be comprised of nine individuals with each Party appointing an equal number of Members, for terms of two years, unless Council decides otherwise. Each Party may appoint members from the previous term to one subsequent term.
- When a Party appoints a member to the Expert Group it is to notify the Council and the CEC Secretariat, and include in the notification the member’s contact and biographical information.

Facilitator

- The Expert Group may choose a Facilitator from among its members for a one-year term, which may be renewed once. The Facilitator role is to rotate consecutively among the appointees from Canada, Mexico, and the United States, after the first one-year term or after the second one-year term if the first term was renewed.
- The Facilitator acts as a primary Point of Contact to the Council, CEC Secretariat, and Joint Public Advisory Committee (JPAC) and guides the activities of the Expert Group.

- The Facilitator retains the right to vote on group advice and to provide individual advice regarding the application of TEK.

Meetings

- Members of the Expert Group may convene at the request of the Council, through the Alternate Representatives or the General Steering Committee, during meetings of the JPAC, as appropriate, and at other times as requested, consistent with the Expert Group's functions.
- Members of the Expert Group are encouraged to participate in the Group's meetings and other relevant meetings/activities via tele/videoconference as much as possible.

Languages

- Meeting attendees may participate in English, Spanish, or French.

Advice and Record-keeping

- The Expert Group facilitator or his/her designee is to ensure that a summary of the minutes of each meeting or activity, and advice to the Council or to JPAC, as relevant and appropriate, is developed, communicated to the appropriate recipient(s), and maintained by the Secretariat. Members of the Expert Group and other participants may make corrections to the summary or advice before it is finalized.

Travel & Expenses

- Funding for the Expert Group is to be itemized in the budget of the CEC as determined by the Council.

Standards of Conduct

- Members of the Expert Group are to conduct themselves in a manner befitting the international character of the Commission and of their Council-assigned responsibilities. Members are to exercise discretion, tact, and timeliness in the performance of their duties. Members are not, directly or indirectly, to solicit or accept gifts from any source that could compromise or be perceived to compromise their independence and integrity.

Confidentiality

- Members of the Expert Group are to safeguard from public disclosure any information received in their official capacity, unless such information is in the public domain or such disclosure is authorized by the Council through the Alternate Representatives or the General Steering Committee.

Conflict of Interest

- Members of the Expert Group are to recuse themselves from any matter that presents or might be perceived to present a personal conflict of interest and are to inform the Council of any conflict or potential conflict of interest.

