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REQUEST FOR PROPOSALS

Five-Year Review of the Implementation of the Agreement on Environmental Cooperation (ECA)

Commission for Environmental Cooperation

September 2025



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I. Overview

The [Commission for Environmental Cooperation \(CEC\)](#) is requesting proposals from prospective consultants to support the five-year review of the implementation of the Agreement on Environmental Cooperation (ECA), a parallel agreement to the United States-Mexico-Canada Agreement (USMCA).

The CEC was established in 1994 by the governments of Canada, Mexico and the United States through the North American Agreement on Environmental Cooperation (NAAEC), a side agreement to NAFTA. On 1 July 2020, the NAAEC was replaced by the ECA.

Article 4(2) of the [ECA](#) states that “the Council shall undertake a review of the implementation of the Agreement with a view to improving its operation and effectiveness within five years of the entry into force of the Agreement, and thereafter as decided by the Council.”¹

II. Terms of Reference

A. Scope

The five-year review of the ECA represents a key moment in the continued mandate of the CEC. As the successor to the North American Agreement on Environmental Cooperation (NAAEC), the ECA reaffirms the commitment of the three Parties to environmental protection as an integral part of regional trade and sustainable development. The review also provides an opportunity to reflect on the past and consider future directions for the CEC.

The objective of the review is to provide recommendations to help the Council improve the operations and effectiveness to achieve the ECA objectives. The review will also identify best practices and achievements related to environmental law enforcement in the three countries, as well as existing gaps and challenges in implementation. Additionally, it will assess the CEC’s institutional capacity to foster public participation and improve transparency and accountability.

Key review questions could include:

- *What progress has been made in fulfilling the objectives and obligations under the ECA?*
- *What have been key achievements in the delivery of the CEC work program over the last five years and in implementing Article 10 of the ECA?*
- *How have new ECA provisions (that were not present under the NAAEC) been implemented by the Secretariat and the Parties?*

¹ Note that two Independent Reviews were carried out under the NAAEC, after four and ten years of operation. The reports can be found at

https://www.cec.org/files/documents/reviews/5224_NAAEC-4-year-review_en.pdf and

<https://www.cec.org/publications/ten-years-of-north-american-environmental-cooperation/>



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- *What have been lessons learned, gaps and recommendations for the continued implementation of the ECA?*
- *What progress has been made by the Secretariat in implementing the SEM process (pursuant to Article 5:5)?*

To fulfill the objective stated above, the review shall be:

- Substantive and credible: Based on qualitative and quantitative data, thorough analysis, and expert engagement to ensure robust and well-supported findings;
- Objective and independent: Conducted by the Independent Review Committee, autonomously in its analyses and decisions, without interference from the Parties, the Secretariat, or any other institutional or external actors in the development of findings, analyses, recommendations or other outputs, thereby ensuring neutrality and avoiding conflicts of interest;
- Transparent in process and dissemination: Employing clearly defined methodologies, with findings made accessible where appropriate, ensuring documentary traceability of the sources consulted, and allowing opportunities for feedback to build trust and understanding; and
- Collaborative and participatory: Engaging CEC Parties (Canada, Mexico, and the United States), Secretariat staff, the [Joint Public Advisory Committee \(JPAC\)](#), experts, and the public to ensure diverse viewpoints contributing to the development of recommendations.

Independent Review Committee

The CEC Council—composed of the Minister of Environment and Climate Change for Canada, the Administrator of the United States Environmental Protection Agency, and the Secretary of the Environment and Natural Resources for Mexico will appoint an Independent Review Committee (IRC) to review the CEC's operations and effectiveness in implementing the objectives of the ECA and provide an Independent Report to the Council that will include recommendations to help the Council improve the operation and effectiveness of the ECA, by 31 May 2026 (for more information see **Annex I** - IRC terms of reference).

Consultant

The Independent Review Committee will be supported by one or more consultants to assist in completing its tasks, including the preparation of the final report for review by the Council.

B. Description of Consultant Services

The Consultant will:

- Work closely with the Independent Review Committee (and with the support of the Secretariat) to design the evaluation framework and methodology; This may require the coordination of by-weekly calls.
- Execute the review process, including data collection, analysis, and report preparation.



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- Ensure transparency, objectivity, and adherence to evaluation best practices.
- Coordinate all activities to ensure adherence to the timeline and completion of the Independent report with recommendations by 31 May 2026.
- Collaborate with the Independent Review Committee to engage with key stakeholders (Parties, Secretariat staff, JPAC, TEKEG, public) through interviews and/or surveys at key stages in the review process to gain knowledge/feedback on CEC operations and effectiveness.
- Liaise with the Secretariat regarding any data, reports, and relevant documents needed for the evaluation and in alignment with the IRC terms of reference.
- Collaborate with the IRC and the JPAC in soliciting comments and submissions from the public.
- Develop progress updates and presentations for the CEC Council, including on the final report with key findings and recommendations.

The envisioned timeline for the ECA Five-Year Review is as follows:

Deliverables	Date
The Independent Review Committee (IRC) is appointed	October 2025
Meetings with the Consultant and IRC	Oct-Nov 2025
Draft evaluation framework and methodology is presented to Parties for approval	End November 2025
Consultant/IRC conduct assessment	Early 2026
Progress report is transmitted to Secretariat	February 2026
First draft ECA Review report presented to Parties	Early April 2026
Comment period for Parties, JPAC, public	April – Early May 2026
Final ECA Review Report submitted to Council at 2026 Council Session	31 May 2026

C. Reporting Requirements

The Consultant will be working under the supervision of the Independent Review Committee who will provide oversight and ensure the evaluation adheres to agreed-upon principles and methodologies.

The CEC Secretariat will be coordinating logistics, including meetings, consultations, and site visits, as needed, as well as providing any background material and data as requested. The Consultant will be liaising with the Director, Administration and Government Relations, who will act as contract coordinator and organize the support from the Secretariat and provide institutional knowledge and context, as needed.

All communications, including teleconferences, interviews, expert meetings, will be supported by the CEC through the designated contact. Prospective consultants should not include these costs in the budgets



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submitted with their proposals. The cost of travel expenses related to any in-person meeting **should not** be included in the proposal either as they will be supported and financed by the CEC.

The Consultant will work in their own offices.

D. Quality of Deliverables

The final report, prepared under the guidance of the Independent Review Committee, shall include a **five-page executive summary**, including key highlights and findings, and **not to exceed 30 pages** (excluding annexes), in total.

The consultant will be responsible for providing deliverables of publishable quality (i.e., copy-edited prior to submission) in **English** and, when applicable, for the technical review and editing of the materials. Technical review and style correction are required to ensure the quality of the materials and will be the responsibility of the consultant. The consultant will submit to the CEC's designated contacts all written material (including complete drafts and final reports) in Microsoft Word, following the format of the CEC's [Document Template](#) (if applicable, or in another format approved by the CEC), and adhering to the precepts of the [Guidelines for CEC Documents and Information Products](#), as supplemented by the CEC's English [Style Guide](#). Supporting documents for tables, figures and maps will be submitted with the report in their original file format (e.g., Excel or ArcGIS). Note that all amounts shall be presented in metric units. The CEC Secretariat will be responsible, when applicable, for translation, printing, publication and distribution of products from this activity.

After delivery by the consultant of reports or other materials under the project, the CEC will require a 15-business day period to review the document(s), notify the consultant of any potential issues or errors, and then return the document(s) to the consultant for appropriate corrections, all at no extra cost.

III. Requirements and evaluation of the proposal

A. Mandatory Requirements

To be eligible for further consideration, all consultants must fulfill the following basic requirements.

1. In-country Ability

The consultant, as well as all their personnel and subconsultants, must reside and be authorized to work legally in Canada, Mexico or the United States. If travel is required, the consultant must possess valid documentation to travel and comply with sanitary regulations/ restrictions within the three countries.

2. Key Personnel

For the purposes of this RFP, the term "consultant" may refer to either a group or company or a single individual.



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If a proposal is submitted by a group of individuals or institutions, a “lead” consultant should be designated to take responsibility for ensuring overall coordination, the coherence of activity outputs, and the integration of information and ideas.

3. Qualifications Required

The consultant must possess the following competence and experience:

- Excellent English writing skills
- Strong abilities as coordinator and facilitator
- Ability to synthesize and analyze qualitative and quantitative information from multiple sources
- Strong general expertise on the environmental policy, management and multilateral environmental agreements
- Good knowledge of the CEC and its operational context
- Advanced knowledge and practical experience in conducting program evaluation assessing implementation, effectiveness and impact
- Good understanding of the intersection between trade and environment
- Experience working with international organizations

The consultant must be fluent in both written and spoken English; proficiency in Spanish is desirable.

4. Proposal Submission

It is the intention of the CEC Secretariat to include the **Terms of Reference (Section II)** of this document in the contract negotiated with the successful applicant. Therefore, prospective consultants should refer to these for more detailed information on the project and the services to be provided. The proposal should include a proposed methodology to undertake the five-year review of the ECA based on the material that is provided in this document.

B. Other Information to be Provided

Potential consultants are encouraged to submit any additional information that they believe will assist the CEC Secretariat in the evaluation of their proposal, such as documents they have developed in the past as a result of similar participatory processes. However, the proposal should not exceed five (5) pages, exclusive of annexes described above or corporate brochures.

C. Type of Contract to be Used for These Services

The CEC Secretariat intends to use its **milestone-based contract** for these services. A sample is available upon request. However, the consultant is expected to provide a breakdown of the estimated effort required to undertake this work along with their professional to serve as reference.

D. Selection Procedure

The consultant deemed best qualified will be selected on the basis of a competitive process, in accordance with sections 2.5-2.7 of the [CEC Consultant Services Procurement Manual](#). Proposals that the CEC



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Secretariat determines to be complete will be evaluated by the CEC Secretariat according to the following criteria:

Evaluation Criteria	Maximum Point Rating
Understanding of work requirements	10
Suitability of the proposal and methodology	30
Consultant's experience and qualifications and competency of key personnel	30
Consultant's ability to show analytical capabilities and effective writing	20
Adequacy of budget	10
<i>Total</i>	100

A minimum score of 80 will be required for a proposal to be eligible for further consideration. Cost efficiency will be considered in the evaluation.

E. Estimated Level of Resources Required

The budget for this activity will **not exceed C\$80,000** (Canadian dollars), including professional fees and expenses. Reimbursable expenses are detailed in the CEC standard contract, available upon request.

For universities and nongovernmental organizations, note that the CEC accepts that overhead be charged for administration and other indirect costs up to 15% of the total value of the contract.

If the proposal were presented by a consultant established in Mexico, the applicable value-added tax will be 0%, in accordance with Article 29, section IV, paragraph a) of Mexico's VAT Act, as these are technical services that were engaged from abroad.

If a currency other than Canadian dollars is used, the consultant should indicate the total cost of the professional services in Canadian dollars as well as the currency of choice, for comparison purposes, and according to the exchange rate in force at the submission date.

F. Financial and Other Confidential Information

For this proposal, the CEC Secretariat will not require the submission of any confidential information, nor information regarding bonding financial status, or company ownership.

G. Conflict of Interest

"Conflict of interest" means, but is not limited to, a situation where a consultant's personal interest is sufficiently connected with professional duties under the contract, such that it results in a reasonable apprehension that said personal interest may influence the exercise of professional responsibilities under the contract. For example, a direct conflict of interest exists when the consultant is also a CEC government official or is related to or closely affiliated with a CEC government official, CEC staff member or third party involved with the performance of the services.



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The consultant will inform the CEC Secretariat of any circumstance that existed prior to the execution of this contract or that could manifest during the performance of this contract, which could constitute a conflict of interest. The consultant will complete and sign, on behalf of all his or her personnel, the attached *Declaration of Acceptance and Impartiality and Independence* (see Annex). The Consultant will also take note of the [CEC Consultant Services Procurement Manual](#).

Deadlines for Proposal Submission and Decision

The proposal, including all relevant attachments, must be received by the CEC Secretariat offices by **17:00 ET on 10 October 2025**. Proposals submitted after this deadline will not be considered.

Proposals must be submitted via e-mail to rinfiesta@cec.org. Proposal format may be in Microsoft Word or Adobe PDF format. Once the proposal has been submitted electronically, the CEC will confirm receipt within three business days. If receipt is not confirmed by e-mail within this time, **applicants must contact the CEC**. The contact person is:

Rocío de la Infiesta
Assistant, Government Relations, Strategy and Performance Unit
Commission for Environmental Cooperation
rinfiesta@cec.org

The CEC Secretariat intends to select the consultant and notify the applicants within a reasonable period following the proposal submission deadline.



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ANNEX I:

Terms of Reference – ECA Independent Review Committee

1. Background

The review of the Agreement on Environmental Cooperation (ECA), a parallel agreement to the United States-Mexico-Canada Agreement (USMCA) represents a key moment in the continued mandate of the Commission for Environmental Cooperation (CEC). As the successor to the North American Agreement on Environmental Cooperation (NAAEC), the ECA reaffirms the commitment of the three Parties to environmental protection as an integral part of regional trade and sustainable development. The review also provides a natural opportunity to reflect on the past and consider future directions. In this spirit, the CEC Council—composed of the Minister of Environment and Climate Change for Canada, the Administrator of the United States Environmental Protection Agency, and the Secretary of the Environment and Natural Resources for Mexico will appoint an Independent Review Committee (IRC) to review the CEC's operations and effectiveness in implementing the objectives of the ECA.

2. Purpose of the Review

The objective of the review is to provide recommendations to help the Council improve the operations and effectiveness to achieve the ECA objectives. The review will also identify best practices and achievements related to environmental law enforcement in the three countries, as well as existing gaps and challenges in implementation. Additionally, it will assess the CEC's institutional capacity to foster public participation and improve transparency and accountability. To fulfill this objective, the review shall be:

- Substantive and credible: Based on qualitative and quantitative data, thorough analysis, and expert engagement to ensure robust and well-supported findings.
- Objective and independent: Conducted by the Independent Review Committee, autonomously in its analyses and decisions, without interference from the Parties, the Secretariat, or any other institutional or external actors in the development of findings, analyses, recommendations or other outputs, thereby ensuring neutrality and avoiding conflicts of interest.
- Transparent in process and dissemination: Employing clearly defined methodologies, with findings made accessible where appropriate, ensuring documentary traceability of the sources consulted, and allowing opportunities for feedback to build trust and understanding.
- Collaborative and participatory: Engaging CEC Parties, Secretariat staff, JPAC, experts, and the public to ensure diverse viewpoints contributing to the development of recommendations.



3. Mandate

Pursuant to Council Resolution 25-03, the IRC will undertake a retrospective review of ECA implementation over the past five years and provide the Council with a report outlining its findings and recommendations to enhance the CEC's operation and efficiency in line with the ECA objectives over the next decade. The IRC will develop the report with input from the Council, the Secretariat, JPAC, TKEG, and a wide range of organizations and institutions to be determined. The final report shall be delivered to the Council on or before June 2026.

4. IRC Support

The Secretariat shall provide financial support for the IRC's operations, in accordance with CEC travel policy and budgetary limitations. The IRC will be supported by one or more consultants, selected by the Secretariat, to assist in completing its tasks, including the preparation of the final report for review by the Council. Additional consultants may be engaged by the Secretariat, if needed, to conduct independent research supporting the report's development. The Secretariat may propose a work plan, which could be modified, as needed, and then adopted by the IRC, and timeline for the report and will provide background materials upon request. Interpretation and translation services will also be provided by the CEC Secretariat, as required.

JPAC will support the ECA review by coordinating a public consultation to obtain stakeholder input.

5. IRC Tasks

- Adopt a work plan and timeline for completing the report, no later than July 1, 2026.
- Collaborate with the consultant to define the scope of the report, the methodology of the review and seek approval from Alt Reps.
- Collaborate with the consultant to engage with key stakeholders through interviews and/or surveys at key stages in the review process to gain knowledge/feedback on CEC operations and effectiveness.
- Collaborate with the consultant and the JPAC in soliciting comments and submissions from the public.
- Conduct the review and analysis of relevant documentation and data.
- Engage regularly with the consultant to monitor the progress of this review.
- Provide updates on the progress of the review to the Secretariat and GSCs.
- Present the findings of the review to the Alt Reps
- Prepare a report with recommendations for the Council



6. Indicators to Measure the Objectivity and Quality of the IRC Process

- **Analytical relevance of the content:** The report addresses all objectives established in the mandate, including the operational effectiveness of the CEC, the fulfillment of the ECA objectives, and the identification of best practices and challenges.
- **Methodological coherence:** The report includes a clear methodological section, consistent with the principles set forth in the terms of reference.
- **Quality of the recommendations:** The recommendations are specific, realistic, feasible, and directly linked to the report's findings. It is valued that they include estimated timelines, suggested responsible parties, and degree of priority.
- **Technical rigor of the analysis:** The findings are supported by documentary, regulatory, or empirical evidence, with verifiable citations and objective analysis. The depth of treatment of the issues is also assessed.
- **Balanced trilateral approach:** The report includes references, data, and examples from all three Parties, reflecting a balanced and comparative perspective, without bias toward any of them.
- **Incorporation of received inputs:** Contributions from public consultations, JPAC, TKEG, the Secretariat, and other sources are explicitly identified, distinguishing between facts, opinions, and recommendations.
- **Clarity and accessibility of language:** The report is written in clear language, not overly technical, understandable to diverse audiences, and includes a glossary or explanations where necessary.
- **Strategic value for the Council:** The report presents conclusions that provide useful elements for the Council's decision-making regarding the institutional improvement of the CEC and the future implementation of the ECA.
- **Transparency of the drafting process:** The criteria for source selection, the IRC's internal validation procedure, and the limitations or uncertainties of the analysis are documented in a methodological annex.

7. Membership

The IRC will consist of three members, with one member selected by each of the three Parties to the ECA. Members will be chosen for their expertise in environmental management and the trade-environment nexus in North America or related fields, familiarity with the ECA and the CEC, and experience in business, academia, or non-governmental organizations as well as their ability to bring forward a diversity of perspectives through communication, collaboration and consensus building. Members will serve as volunteers and act independently of the Parties.

A Member may be accompanied, on a voluntary basis and at no cost to the Parties or the Secretariat, by an assistant designated by the Member to support the performance of his/her duties. Such assistant shall have no speaking rights or decision-making role in official meetings.

A quorum for an IRC meeting shall be three members (one from each country), delegates will not be permitted.

Decisions will be made by consensus.

The IRC shall designate one of its members to chair the meetings.



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List of individuals that will participate in the ECA Evaluation and their roles.

1. **Evaluation Committee** – composed of one representative from each country.
 - Receives the charge from the Council to carry out the evaluation based on specific terms of references.
 - Collaborates with the contractor to develop the evaluation framework and methodology, ensuring it aligns with the evaluation objectives.
 - Provides oversight to ensure the evaluation adheres to agreed-upon principles and methodologies.
 - Review findings and ensures alignment with evaluation objectives.
2. **Contractor - Consultants**
 - Works closely with the Evaluation Committee to design the evaluation framework and methodology.
 - Executes the evaluation process, including data collection, analysis, and report preparation.
 - Ensures transparency, objectivity, and adherence to evaluation best practices.
3. **Secretariat – ECA implementers**
 - Provides administrative support, including drafting request for proposal
 - Hire contractor/s.
 - Facilitates the evaluation process by providing data, reports, and relevant documents in alignment with the ToR.
 - Coordinates logistics, including meetings, consultations, and site visits, as needed.
 - Supports the development of the ToR, evaluation framework and methodology by providing institutional knowledge and context.
 - As directed by the Council integrates evaluation recommendations into ongoing and future CEC work.
4. **Council members (via Alt Reps)** – represents the leadership of ECA
 - Appoints the Evaluation Committee.
 - Endorse the ToRs
 - Provides the formal charge to the Evaluation Committee, outlining the scope, objectives, and expectations for the evaluation.
 - Reviews and approves the evaluation framework and methodology developed by the Evaluation Committee and contractor.
 - Deliberate on evaluation findings and recommendations.
 - Uses results to inform strategic decision-making and policy adjustments, as appropriate.



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5. **GSC members** – serve as liaisons between the Council, the Evaluation Committee and the Secretariat.
 - Draft Evaluation Committee ToR for Alt Reps review and approval.
 - Provide guidance and technical oversight to the Evaluation Committee during the evaluation process.
6. **JPAC and TEK** – provide a plural and public perspective on the evaluation process.
 - Provides input through consultations (e.g., survey, public forums, or other platform) on the perceive effectiveness of CEC’s work.
 - Promotes transparency and accountability **by engaging with the general public and sharing evaluation outcomes.
7. **General Public** – primary beneficiaries of the CEC’s work
 - Provides input through consultations (e.g., survey, public forums, or other platform) on the perceive effectiveness of CEC’s work.
 - Ensures the evaluation reflects the real-world impact of CEC programs.
8. **Partners** – government experts, private sector, and communities that have served in CEC initiatives
 - Shares perspectives on collaboration with the CEC and the effectiveness of projects in achieving sustainable outcomes.
 - Provide testimonials and feedback on-the-ground realities of impact of CEC initiatives.



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ANNEX II (see also Schedule D in CEC standard contract)

**CONSULTANT'S
DECLARATION OF ACCEPTANCE AND IMPARTIALITY AND INDEPENDENCE FOR CONTRACT**

I, the undersigned,

Last Name: _____ First Name: _____

ACCEPTANCE



hereby declare that I accept to serve as consultant in the subject contract.

IMPARTIALITY AND INDEPENDENCE

(If you accept to serve as a consultant, please check one of the two following boxes. The choice of which box to check will be determined after you have taken into account, inter alia, whether there exists any past or present relationship, direct or indirect, with any of the Parties to the Agreement on Environmental Cooperation (ECA) or their Commission for Environmental Cooperation ("CEC") representatives, Secretariat staff, and/or third parties involved in the performance of this contract, whether financial, professional, familial, or of another kind and whether the nature of any such relationship is such that disclosure is called for pursuant to the criteria set out below. Any doubt should be resolved in favor of disclosure.)



I am impartial and independent with respect to the ECA Parties and their CEC representatives, CEC Secretariat staff, and third parties involved in the performance of this contract and intend to remain so; to the best of my knowledge, there are no facts or circumstances, past or present that need be disclosed because they are likely to give rise to justifiable doubts as to my impartiality or independence, and that may constitute a conflict of interest.

OR



I am impartial and independent with respect to the ECA Parties and their CEC representatives, Secretariat staff, and/or third parties involved in the performance of this contract, and intend to remain so; **however**, I wish to call your attention to the following facts or circumstances which I hereafter disclose because they might be of such a nature as to give rise to justifiable doubts as to my impartiality or independence, and that may constitute a conflict of interest. Where facts or circumstances exist that might give rise to the latter such doubts, I may set out measures I intend to take to mitigate or eliminate any doubts regarding my impartiality and independence, and/or a possible conflict of interest. (Use separate sheet and attach.)

Date: _____

Signature: _____