

ARCTIC COUNCIL
INDIGENOUS PEOPLES' SECRETARIAT

TERMS OF REFERENCE
and
PROCEDURAL GUIDELINES

ADOPTED BY THE IPS BOARD NOVEMBER 3, 2001
Espoo, Finland

RECORD OF AMENDMENTS

1. Procedural Guidelines, Sect. 33 (21 November 2002)
2. Procedural Guidelines, SS 23, 23(a) (5 April 2005)

ARCTIC COUNCIL

INDIGENOUS PEOPLES' SECRETARIAT

TERMS OF REFERENCE

Preamble

Whereas Article 2 of the Declaration on the Establishment of the Arctic Council states that the category of Permanent Participation is created to provide for active participation and full consultation with the Arctic Indigenous representatives within the Arctic Council;

And Whereas the Inuit Circumpolar Conference (ICC), the Saami Council (SC), the Russian Association of Indigenous Peoples of the North, Siberia and the Far East (RAIPON), the Aleut International Association (AIA), The Arctic Athabaskan Council (AAC), and the Gwich'in Council International (GCI) are currently Permanent Participants in the Arctic Council;

And Whereas at the Ministerial meeting of the Arctic Environmental Protection Strategy (AEPS) in Nuuk on 16 September 1993, the Ministers of the Environment from Denmark and Greenland offered to establish an AEPS Secretariat for Indigenous Peoples;

And whereas, having Affirmed the commitment to provide for active participation of the Indigenous Peoples' organisations to the AEPS process, it was subsequently agreed by the Ministers of the Arctic States to establish a Board comprised of representatives of the Permanent Participants and some Arctic States to govern the work of the Secretariat;

And Whereas Article 8 of the Declaration on the Establishment of the Arctic Council, signed in Ottawa on the 19th of September 1996, states that the Indigenous Peoples' Secretariat established under the AEPS is to continue under the framework of the Arctic Council;

And whereas the Declaration on the Establishment of the Arctic Council established the Council as a high level forum to:

- a) provide a means for promoting co-operation, co-ordination and interaction among the Arctic states, with the involvement of the Arctic indigenous communities and other Arctic inhabitants on common Arctic issues, in particular issues of sustainable development and environmental protection in the Arctic;

- b) oversee and co-ordinate the programs established under the AEPS on the Arctic Monitoring and Assessment Program (AMAP); Conservation of Arctic Flora and Fauna (CAFF); Protection of the Arctic Marine Environment (PAME); and Emergency Prevention, Preparedness and Response (EPPR);
- c) oversee and co-ordinate a sustainable development program, the goal of which is to propose and adopt steps to be taken by the Arctic States to advance sustainable development in the Arctic, including opportunities to protect and enhance the environment, and the economies, cultures and health of indigenous communities and of other inhabitants of the Arctic, as well as to improve the environmental, economic and social conditions of Arctic communities as a whole; and
- d) disseminate information, encourage education and promote interest in Arctic-related issues;

And consistent with the Declaration, the Arctic Council Rules of Procedure, the Arctic Council Terms of Reference for a Sustainable Development Program, and the other declarations and decisions of the Arctic Council, the IPS will:

1. facilitate the participation of Indigenous Peoples' organisations in the work of the Arctic Council, assist and provide Secretariat support functions to the Permanent Participants primarily in Arctic Council activities, facilitate and assist the Permanent Participants to prepare and submit proposals relevant to the work of the Arctic Council, facilitate the presentation of the perspectives of Indigenous Peoples in the Council's Working Groups and in meeting of Senior Arctic Officials and Ministers;
2. enhance the capacity of the Permanent Participants to pursue the objectives of the Arctic Council, assist the Permanent Participants develop their internal capacity to participate and intervene in the Arctic Council, and assist the Permanent Participants in the furtherance of their activities in relation to participation and full consultation within the Arctic Council, and assist them in how to best make contributions to the Council's work;
3. facilitate dialogue and communications among the Permanent Participants and among Permanent Participants and other Arctic Council and related bodies, provide opportunities for co-operative and co-ordinated activities among the Permanent Participants and IPS, facilitate meetings and communication between the Permanent Participants, and facilitate the translation of the communications between the Permanent Participants as far as possible;
4. support the Permanent Participants in carrying out actions for the sustainable development of Indigenous Peoples;

5. gather and disseminate information on and provide and list sources of different forms of knowledge, as well as contribute to raising public awareness of Arctic Council issues through a regularly updated web site and regularly produced newsletters and other publications.

ARCTIC COUNCIL INDIGENOUS PEOPLES' SECRETARIAT

PROCEDURAL GUIDELINES

In accordance with Article 8 of the "Declaration on the Establishment of the Arctic Council" and Rule 33 of the "Arctic Council Rules of Procedure", and the "Terms of Reference of the Arctic Council Indigenous Peoples' Secretariat" (the IPS), the Board of the Arctic Council Indigenous Peoples' Secretariat adopts the following Procedural Guidelines:

Definitions

1. In these IPS Guidelines:

"Permanent Participants" means the **'Indigenous Peoples'** organisations referred to in Article 2 of the Declaration on the Establishment of the Arctic Council as well as any other organisation granted Permanent Participant status in accordance with the Arctic Council Rules of Procedure;

"Arctic States" means the Members of the Arctic Council, namely Canada, Denmark, Finland, Iceland, Norway, the Russian Federation, Sweden and the United States of America;

"IPS" or *"Secretariat"* means the Arctic Council Indigenous Peoples' Secretariat.

Application

2. Meetings and other activities of the IPS will be governed by these Procedural Guidelines.

Employment Laws, etc.

3. The IPS will be governed by a Board and in accordance with the employment laws and other applicable laws of the country which hosts the IPS office and staff, until it receives status as an international organisation.

The Board

4. The Board should assume all control and responsibility of the activities of IPS. The Board will manage and direct the affairs of the IPS in accordance with the Terms of Reference and the IPS Procedural Guidelines.

5. **The number of the Board members shall be nine** and will consist of
a) **an authorised representative from each of the six Permanent Participants**

and

b) a representative from each of three Arctic States, these states being 1) the current Chair of the Arctic Council, 2) the host country state of IPS, and 3) the last Arctic Council Chair.

6. Board Meetings will be held at least once a year in person and at such other times by teleconference or on such locations as may be agreed upon by the Board members.

7. Four members of the Board will constitute a quorum for purposes of holding a Board meeting.

8. Decisions of the Board will be by consensus. In the event that a Board Meeting is held without the attendance of all its Members, decisions may be taken by a consensus of all Board Members present, subject to any objection in writing by an absent Board Member within thirty days after receiving a report containing the decision. Decisions may be taken by written communications, including telefax communications.

9. At meetings, unless Board Members decide otherwise, discussions or decisions will not occur on any matter, which has not been included as an item in an agenda adopted in accordance with these IPS Guidelines.

10. During the discussion of any matter, a Board Member may rise to a point of order and the point of order will be decided immediately by the Chair of the Board in accordance with these IPS Guidelines.

11. The agenda and all documents intended to be considered by the Board at a Board meeting will be made available in the Russian language and Russian interpretation will be provided at Board meetings.

12. Administrative control of the funding of the IPS is the responsibility of the IPS Board subject to and in accordance with the requirements of funding bodies. The Board shall approve all operating budgets within the constraints proposed by the funding agencies and the objectives of the Arctic Council. The annual work plan and annual budget of the IPS shall be approved by the Board on an annual basis and amended by the Board as necessary at the Board Meeting.

13. The Board of IPS should seek professional advice to define the most useful and appropriate legal structure to enable IPS to achieve its objectives and to diversify its sources of funding. In particular, IPS should aspire to include financial contributions from foundations, corporations, and other non-governmental organisations. This professional advice should examine legal models provided by existing Permanent Participants and non-governmental organizations. This professional advice should be provided to the IPS Board as soon as possible. The Board of IPS should commit to and oversee the implementation of a long-range fundraising strategy for IPS, with the aim of making the organization financially self-sustaining.

14. The Board may establish from among its members an Executive Committee comprised of the Chair and two or more persons to oversee and direct the work of the IPS in accordance with work plans and budgets approved by the Board. The Executive Committee will report to the full Board and will act within the parameters of detailed terms of reference and instructions given by the Board to the Committee.

15. The Board should appoint the Executive Secretary and approve all criteria for hiring staff. The Board will hire an Executive Secretary, and other staff, to manage and coordinate the day to day operations of the IPS. The Executive Secretary is hired on a two-year contract, and shall not be from the same organisation as the IPS chair. The staff should consist of people with a working knowledge of Arctic affairs. Employment should also be based on professional qualifications with special emphasis given to those having knowledge of Arctic Indigenous Peoples and cultures. It will also be possible for the Permanent Participants to make available to the IPS their own staff to assist in special projects. The Permanent Participant providing staff must provide cost for this.

16. The terms and conditions of employment of the Executive Secretary shall be determined by the Board.

17. The work plans, the operating budget for the Indigenous Peoples' Secretariat, contractual agreements that are necessary to execute the IPS annual work plan, including hiring and dismissals of staff, and any expenditure in excess of DKK 40,000 must receive approval by the Board.

18. The Board shall make the final decisions on any hirings or firings of the staff.

19. The Board will approve operational budgets for individual project grants if it is required to do so by the donors.

20. Subject to paragraph 17, the Board shall provide written approval of any individual project plan and budget if needed for external funding purposes.

The Chair of the Board

21. The Chair of the Board will rotate among the Permanent Participants. The Chair will preside over the Board of the IPS from the conclusion of one biennial Ministerial meeting of the Arctic Council to the conclusion of the next biennial Ministerial meeting of the Arctic Council.

22. The Chair shall be from one of the Permanent Participants. The Chair position of Chair shall rotate between the organizations in the order that they became Permanent Participants. The order of joining is:

Saami Council*

Inuit Circumpolar Conference*

Russian Association of Indigenous Peoples of the North*

Aleut International Association
 Gwich'in Council International*
 Arctic Athabaskan Council*

[* indicates organizations that have served as Chair as of April 2005]

22 (a). A Permanent Participant may defer its turn as Chair to the next organization line on the understanding that it will assume the position at the next Ministerial meeting.

23. [The Permanent Participants may also designate a member of the Board as vice-chair and the vice-chair will preside in the absence of the Chair.](#)

24. The Chair will co-ordinate the agenda and other arrangements for meetings of the Board which will be held in the community where the IPS offices are located, unless the Board agrees otherwise. Meetings can be held outside of Denmark/Greenland.

25. The Chair or other designated official may undertake communications on IPS matters as may be agreed to in advance by the Board.

26. [The Chair will propose a date and the location for a Board meeting at least sixty days in advance of the proposed date.](#)

27. [The Chair, in consultation with Board members, will circulate a draft agenda at least thirty days prior to the date of a Board meeting. Board members may propose supplementary agenda items by notifying the Chair no later than fourteen days prior to an annual meeting. A final agenda will be adopted by a decision of the Board at the meeting.](#)

28. The Chair, with the consent of the Board, may enter agreements on behalf of IPS, including for purposes of obtaining funding support, accounting services, or such other matters in relation to the IPS.

29. The Chair, with the consent of the Board, may invite any person or organization that can contribute expertise and is able to contribute to the work of that body to participate in Board meetings.

30. The Chair may release minutes, communications and documents of the meeting after obtaining approval from the Board members.

31. The Chair shall be responsible for on-going operations of the Secretariat and be responsible for notifying Board members of any significant developments that occur from time to time.

32. The Chair shall approve any expenditure made by the Secretariat staff if not less than DKK 10,000 and not more than DKK 40,000.

33. The Chair shall visit the Secretariat office in Copenhagen as required to meet with staff and give guidance.

The Executive Secretary

34. The Executive Secretary will be responsible for managing and co-ordinating the day to day operations of the IPS and its Staff, in accordance with the work plans and budgets approved by the Board, and with the Terms of Reference and Procedural Guidelines of IPS.

35. The Executive Secretary, under the direction of the Chair or the Executive Committee, as the case may be, will:

- a) co-ordinate the development and carrying out of work plans and other tasks;
- b) co-ordinate the development of budgets and funding proposals;
- c) co-ordinate regular reporting and accounting to the Chair, the Executive Committee and the Board on work plans, budget and expenditure matters, and funding matters and IPS activities generally;
- d) co-ordinate the preparation of reports, recommendations, and other documents for review or decision by the Chair, the Executive Committee or the Board;
- e) monitor, direct or undertake IPS activities in accordance with the decisions of the Board as directed by the Chair, the Executive Committee or the Board;
- f) disseminate correspondence and information to the Permanent Participants and other Board members as appropriate;
- g) co-ordinate or carry out IPS communications;
- h) manage and direct other IPS staff; and
- i) co-ordinate or carry out such other matters as directed by the Chair, the Executive Committee or the Board.

36. Where requested by the Chair, the Executive Secretary will act as the Secretary to record minutes and decisions at Board Meetings, and will maintain a copy of all such records of decision and minutes in the files of the IPS.

37. The Executive Secretary may refer matters to the Board for decision.

38. Subject to paragraph 11, English shall be the working language of the Board at meetings and in correspondence.

39. The Board may direct the Executive Secretary to arrange interpretation or translation, into Russian or other languages, as may be required from time to time.

Amendment

40. These IPS Guidelines may be amended by a decision of the Board.