**Pathway National Steering Committee**

**Terms of Reference**

# BACKGROUND

Pathway was established to offer guidance towards achieving pan-Canadian area-based objectives through the development and sharing of tools and mechanisms that can aid jurisdictions, and Canadians at large, in contributing towards advancing area-based conservation in Canada.

Pathway operates following the principles of:

* reconciliation,
* respect,
* inclusiveness and collaboration,
* transparency,
* innovation and creativity, and
* evidence-based decision-making, grounded in science and Indigenous knowledge systems.

The commitment to work together under Pathway, in collaboration with Indigenous people, local governments, and conservation non-profits and other stakeholders has been agreed to and reaffirmed during three meetings of Federal, Provincial and Territorial Ministers responsible for Conservation, Wildlife and Biodiversity (CWB), in February 2017, June 2018 and 2021. CWB Ministers reaffirmed in May 2023 the desire to build on the innovative work of Pathway's vision as stated in *One with Nature* with the understanding that achieving the protection of 30 percent of Canada's land and water by 2030 is central to success in addressing the current level of biodiversity loss.

The participation of representatives from the Assembly of First Nations (AFN) and Métis National Council (MNC) does not replace the duty for FPT governments to consult and engage with local Indigenous governments by jurisdiction. The Indigenous representatives in Pathway do not advocate for or represent the voices of all Indigenous governments across Canada. Engagement and consultation with local Indigenous governments must be ongoing and consistent on behalf of all jurisdictions. MNC is an elected National Indigenous government whose governance structure is made up of the Presidents of four Governing Members (MNBC, MNA, MN-S and MNO), whereas AFN is an advocacy organization (they do have a national chief and regional chiefs but they seek resolutions for the work of AFN from chiefs through assemblies). Inuit Tapiriit Kanatami does not actively participate on Pathway NSC at this time (although previously invited and for which interest in participating will be confirmed from time to time). There are over 600 Indigenous governments in Canada and those nations need to be engaged by jurisdictions on matters affecting them.

*One with Nature[[1]](#footnote-1)* (adopted through the governance structure for Conservation, Wildlife and Biodiversity and released publicly in February 2019) provides the guidance for a pan-Canadian approach to collaborative work towards achieving area-based conservation goals and guides the work, recommendations and decisions of the National Steering Committee (NSC), its sub-committees and working groups.

*The Pathway Journey: A look back at a renewed approach to land and freshwater conservation in Canada* included a variety of recommendations for Pathway efforts going forward. A number of recommendations related to Pathway’s governance are supported through these terms of reference:

* Re-affirming *One with Nature* and the aspirational priorities and actions for a post-2020 context.
* Re-affirming the intention to operate under the guiding Pathway principles of reconciliation, respect, inclusiveness and collaboration, transparency, innovation and creativity, and evidence-based decision-making grounded in science and Indigenous Knowledge systems.
* Building in opportunities to check in with partners and make adjustments based on partner feedback in order to help ensure continuous forward momentum in an Ethical Space.
* Seeking and creating greater engagement and commitment from all levels of government from the onset for post-2020 efforts
* Building upon the early Pathway partnership efforts and learning from the collective challenges and successes of relationship building and maintenance. (This multilateral work has great value when advanced in the right way and the lessons learned from the Pathway initiative as a whole will be valuable in informing how this work moves forward).
* Ensuring that there is sufficient capacity specifically for Indigenous partners built into both the funding and secretariat mechanisms intended to help advance collective efforts.
* Considering inviting new voices to the table to have a mixture of government and non-government partners discussing ideas to create more engagement and more creative solutions.

# MANDATE

The Pathway NSC will serve as the primary forum for advancing work (cross-cutting discussions, tools, mechanisms) on pan-Canadian priorities related to area-based conservation objectives.

As the new Kunming-Montreal biodiversity targets have been set and existing priorities and partnerships focused on achieving ambitious area-based conservation objectives are expanded, Pathway remains uniquely positioned as the key forum to advise on the holistic and collaborative implementation of FPTIM+ area-based conservation solutions.

The Pathway purpose is:

* To continue to holistically advance and accelerate the tangible outcomes achieved under the long-term shared pan-Canadian priorities for area-based conservation identified in *One with Nature*, namely:
  + Expanding the systems of federal, provincial and territorial protected and conserved areas;
  + Promoting greater recognition and support for existing Indigenous rights, responsibilities, and priorities in conservation;
  + Maximizing conservation outcomes; and,
  + Building support and participation for conservation with a broader community.
* To build upon the lessons provided to-date through Pathway, including through the *Pathway Journey*[[2]](#footnote-2) and other references[[3]](#footnote-3), and to continue to build and strengthen relationships with partners to accelerate action on shared area-based conservation priorities.
* To broaden partnerships and establish innovative collaborations with an enhanced focus on guidance, tools, initiatives or other creative solutions that might help achieve tangible area-based conservation action or accelerate the *implementation* of pan-Canadian recommendations and guidance previously developed under Pathway (e.g., applying the Decision-Support Tool to recognize grassland, forest and wetland OECMs; establishing/recognizing Indigenous-led protected areas and/or OECMS).
* To holistically, efficiently and effectively identify and propose a collective FPTIM+ path forward to address new and emerging pan-Canadian issues related to area-based conservation and continue to recalibrate the path forward in response to emerging and shifting priorities.

# MEMBERSHIP

The Pathway NSC will consist of director-level (or equivalent) members from federal, provincial, territorial governments, national Indigenous representative organizations and invited individuals[[4]](#footnote-4) from Indigenous organizations, local governments, environmental non-governmental organizations, and youth (Appendix A). Members will be appointed from the executive management group of their relevant department or ministry, normally at the ADM level. If applicable, an alternate to the member shall be selected by the appropriate government or organization to act when the member is unavailable or incapacitated. When a member is unable to attend an in-person or online meeting, it is the responsibility of the member to arrange for their alternate to attend in their stead. While the length of term for members is at the discretion of each jurisdiction/organization, it is requested that efforts be made by members (and/or their alternate, if applicable) to contribute to the focus placed on the importance of relationships by endeavoring to participate consistently and to the best of their ability.

The Pathway NSC will continue to aim to expand membership and establish ways forward to increase representation that acknowledges the unique contributions to area-based conservation from a broader array of partners, as well as acknowledging the rights, interests and perspectives of Indigenous peoples (e.g., exploring the potential establishment of an Indigenous Advisory Committee).

***Pathway National Steering Committee Co-chairs***

Pathway NSC will be co-chaired by a director-level representative responsible for protected areas within the Protected Areas Directorate of the Canadian Wildlife Service, Environment and Climate Change Canada (ECCC), as well as a director-level standing member of the committee (including members from provincial or territorial governments, national Indigenous representative organizations, municipal representatives, Canadian Parks Council representatives), or others brought in as full members to the main Pathway table. The non-federal co-chair will be in place for one year and will be rotated according to the schedule below (Table 1). Co-chair responsibilities sit with the applicable jurisdiction/organization for one year and therefore the jurisdiction/organization is responsible for finding the alternate member who would replace the co-chair should they become unavailable. In temporary circumstances, this may involve having a co-chair support person familiar with Pathway and/or protected and conserved areas step into the role. Should a mid-term change of the non-federal co-chair be necessary due to exceptional circumstances (such as retirement, longer-term illness, parental or formal leave), the approach for addressing this will be assessed on a case-by-case basis. Should the jurisdiction/organization that is next in the schedule be unable to accept the role of co-chair, for whatever reason, they will be responsible for following up in accordance with the rotational schedule to confirm the next co-chair.

**Table 1.** Rotation schedule of the non-federal co-chair position (which may be updated as needed).

|  |  |
| --- | --- |
| **Year** | **Non-Federal Co-chair Rotation** |
| 2022 | British Columbia |
| 2023 | Assembly of First Nations |
| 2024 | New Brunswick |
| 2025 | Nova Scotia |
| 2026 | Ontario |
| 2027 | Manitoba |
| 2028 | Métis National Council |
| 2029 | Northwest Territories |
| 2030 | Yukon |
| 2031 | Saskatchewan |
| 2032 | Newfoundland and Labrador |
| 2033 | Local government |
| 2034 | Canadian Parks Council |
| 2035 | Alberta |

*Co-chair responsibilities:*

* Provide leadership ensuring that the efforts of the committee are reflective of true collaboration where all members have an equal voice around the table, regardless of the jurisdictions and/or organizations from which the co-chair(s) come.
* Accountable for realizing the Pathway initiative objectives, while ensuring that the initiative remains within scope.
* Lead and moderate discussions, recommendations and decisions;
* Provide strategic guidance and advice regarding required resources and funds to deliver the initiative (ECCC federal co-chair lead);
* Stay abreast of initiative and project status;
* Approve change requests (within authorized limits);
* Provide final sign-off, on behalf of the NSC, of completion of deliverables.
* Make best efforts to resolve any disagreements through cooperation with all members in Ethical Space.

*Pathway NSC Member responsibilities:*

* Engage in Ethical Space through open dialogue in which all members support meaningful, respectful, and cross-cultural discussion wherein evidence-based decision-making is grounded in both science and Indigenous knowledge systems;
* Champion progress towards advancing area-based conservation in their respective jurisdictions and/or organizations;
* Participate in virtual and face-to-face meetings. For occasional unavailability, ensure an appropriate alternate is designated for participation;
* Demonstrate management commitment through active participation (in discussion series, on working groups and/or NSC-related projects);
* Contribute to and review project progress and project deliverables;
* Provide input on strategy and major issue resolution;
* Work towards identifying and making necessary resources available within their organization;
* Receive, recommend, and challenge policy and process changes;
* Identify communication needs;
* Encourage the adoption of best practices; and
* Brief upwards to respective senior management within their organization.

The participation of members in virtual and face-to-face meetings are anticipated to be supported financially by their respective jurisdictional organizations. Support from ECCC for partners (e.g., for attending face-to-face meetings) will be considered on a case-by-case basis.

# OPERATING PROCEDURES

***Accountability***

National Steering Committee members will be responsible for briefing up within their own organization.

***Pathway National Steering Committee***

The National Steering Committee is responsible for delivering on the priorities of *One with Nature*, advancing the recommendations of *The Pathway Journey*, and taking collaborative action to advance area-based conservation outcomes from now to 2030. It will deliver on its mandate to all of its fullest capacity and ensure that its objectives and deliverables are met.

The NSC will continue to exercise its mandate with awareness of the recommendations of the National Advisory Panel, the Indigenous Circle of Experts and established pan-Canadian definitions and guidance. It will consider discussion papers produced by expert task teams, lessons and recommendations developed by the NSC and its working groups since its inception, and information obtained through consultations from other processes and groups. This background provides the foundation needed to allow the NSC to continue to guide Pathway towards achieving pan-Canadian area-based conservation objectives, including implementing guidance, which will be brought forward as appropriate for the approval and endorsement of appropriate governance bodies responsible for protected areas and biodiversity conservation (e.g., FPT governance bodies) and other relevant FPT bodies as applicable, as well as Indigenous leadership with members at the main Pathway table at the time (currently the Assembly of First Nations and the Métis National Council)[[5]](#footnote-5).

***Cross-sectoral collaboration***

As much of the work to advance area-based conservation crosses jurisdictional, departmental and organizational mandates, Pathway members are encouraged to consult as appropriate within their organizations to ensure proper linkages are made, and are expected to contribute a whole-of-government perspective when participating at the Pathway table, in working group(s) and other activities. Should sensitive content be shared amongst Pathway members that should not be shared beyond Pathway members, it will be the responsibility of the member bringing the materials forward to identify them as such and to engage with the secretariat and/or co-chairs to determine how the materials should be handled. In these situations, members may be asked to not distribute the materials further.

***Meeting Frequency and Participation***

Pathway discussions will occur monthly for 2 hours between NSC members, although this frequency can be changed if Pathway members concur that a frequency change is required. Virtual meetings will be convened by the NSC co-chairs and will include agenda items based on recommendations from members and the NSC Secretariat. As part of their active participation, members are expected to bring forward suggested agenda items tied to collaboratively identified priorities from their respective jurisdictions and/or organizations to inform agenda development. Face-to-face meetings may also be organized 1-2 times per year as needed.

***Secretariat***

Secretariat support and associated funding for the Pathway National Steering Committee will be provided by the Protected Areas Directorate of the Canadian Wildlife Service, in Environment and Climate Change Canada. The Secretariat will report directly to the National Steering Committee and under its direction, provide regular updates to the Steering Committee co-chairs and facilitate Steering Committee virtual and in-person meetings and related activities (working groups, workshops, trainings, etc.) including the development of meeting materials not limited to agendas and Records of Discussion/Decision, as required.

***Establishment and Oversight of Working Groups and Taskforces***

The NSC may establish working groups and taskforces to undertake specific projects, enable information exchanges and support established priorities. Working groups may be created to support standing objectives. Taskforces may be created as needed and in general will be dismantled once their tasks are complete. The NSC will oversee the operations of its working groups and taskforces.

***Confidentiality of Proceedings***

Proceedings of the Pathway are understood to be held in confidence. Therefore, all supporting and resulting documents, whether in draft or in final form, are presumed to be distributed and used on a confidential basis, as are the proceedings themselves. Individual members may release documents to parties external to government only upon approval from the Secretariat.

***Access to Information***

Members will handle confidential information in accordance with applicable federal, provincial or territorial access to information legislation. Each government will make its own decision regarding release of documents under its control; however, when responding to access to information requests, governments should inform the Secretariat regarding any potential releases.

# Appendix A. Membership on Pathway FPTIM+ Committee

***Federal Programs Responsible for Parks and Protected Areas*** *–* Federal responsibilities include working collaboratively with its diverse partners to establish and/or manage protected and conserved areas. These include (for example) national parks, national marine conservation areas, and national urban parks (Parks Canada Agency), migratory bird sanctuaries, and national wildlife areas (ECCC – CWS), and working collaboratively to conserve 25 per cent of our lands and waters by 2025, working toward 30% by 2030, using a diverse portfolio including protected areas and other effective conservation measures that meet national standards.

***Provincial and Territorial Programs Responsible for Parks, Protected Areas, Natural Heritage, Land Use Planning and Biodiversity Conservation*** -PT Crown lands comprise the majority of lands available for conservation in Canada. Much of the legislative and regulatory powers for natural resource management affecting biodiversity, habitat and species conservation are under provincial or territorial jurisdiction. As such, Pathway members in ministries responsible for parks, protected areas and/or natural heritage conservation have unique perspectives and insights about competing interests tied to natural resource management and Crown land use. These partners are directly familiar with the lands they manage, have experience working effectively across their respective ministries and portfolios to advance area-based conservation while seeking to balance other PT priorities such as economic development and reconciliation. They have established relationships with key regional stakeholders and Indigenous peoples. As land managers, PTs also provide a wealth of practical conservation expertise. Individual PTs may have explored or established innovative approaches to achieve conservation outcomes with the potential to be scaled-up or adapted.

***National Indigenous Representative Organizations and Perspectives– Area-Based Conservation*** – Global observation suggests that lands managed by Indigenous peoples conserve more biodiversity than areas managed by non-Indigenous peoples. Indeed, Indigenous leadership has driven some of Canada’s greatest achievements in conservation-oriented land-use planning. National-level representative organizations are uniquely positioned to contribute to pan-Canadian area-based conservation efforts in a manner that reflects reconciliation efforts, and the rights and responsibilities of Indigenous peoples across Canada. The path forward will seek to broaden partnerships with additional organizations and individuals representing Indigenous perspectives at the national/pan-Canadian level. Additional candidate organizations and/or members should be identified in consultation with current Indigenous and FPT partners. In some circumstances, regional organizations or individuals may uniquely hold national-level expertise related to area-based conservation, enabling them to contribute national-level perspectives. These circumstances will be collectively assessed by NSC on a case-by-case basis. Pan-Canadian involvement in these discussions allows partners to continue building Indigenous-led conservation through shared lessons learned.

***Municipalities/Local Governments*** – As stewards of unique and often biodiverse areas in southern Canada, municipal/local governments play a key role in area-based conservation and engaging Canadian citizens in these efforts. Municipal lands create the biggest experiential impact for the majority of Canadians (e.g., via urban access to nature and enabling connectivity through highly developed areas). Municipalities are also well-connected through municipal organizations, allowing NSC participants to share information very broadly with concerned stakeholders. Area-based conservation in these areas will also be essential for advancing conservation issues that support climate change mitigation.

***Environmental Non-Governmental Organizations*** - Environmental Non-Government Organizations (ENGOs) can efficiently communicate directly with Canadians already engaged with nature conservation. A subset of ENGOs own and/or manage private lands important for biodiversity conservation. They often have established direct and trusting relationships and communication with Canadians who seek to advance nature conservation. ENGOs are often able to attract conservation partners that may avoid and/or mistrust FPT governmental involvement and/or processes. A subset of ENGOs also play a challenge function that focuses on increasing the conservation rigor of FPT decision-making. ENGOs are typically more nimble than government when it comes to implementing innovative conservation solutions. ENGOs are able to promote and amplify FPT area-based conservation successes and encourage momentum on new or languishing opportunities. Individuals who are area-based conservation subject matter experts affiliated with ENGOs may be invited to the main Pathway table and/or to participate in topic-specific working groups. Candidates for invitation will be identified and assessed on a case-by-case basis by NSC.

***Youth Representation*** – Individuals representing youth bring a unique and valuable intergenerational perspective to Pathway’s efforts to collaboratively address and advance pan-Canadian priorities related to area-based conservation. Candidates for invitation will be identified and assessed on a case-by-case basis by NSC.

**Broadening the Conversation with Potential Conservation Champions**

Topic-specific solutions will be necessary to advance strategic collective priorities. Pathway should maintain the agility to respond to emerging and/or anticipated priorities. As such, additional partners could be invited to the main Pathway table, as appropriate, or could be engaged with via working groups to ensure a broader perspective while proposing, developing and or taking the actions necessary to implement strategic recommendations and commitments. Candidates for invitation will be identified and assessed on a case-by-case basis by NSC.

* ***Expanded FPT Government Partners*** - Broadening conversations to include champions within FPT resource management departments (agriculture, forestry (e.g., NRCan), others (e.g., DFO)) will further expand the conversation to those who establish the management framework for Crown lands suitable for OECM recognition. This is anticipated to improve solution-oriented learning and action by all Pathway FPTIM+ partners. The focus would be on further understanding and addressing pan-Canadian barriers and gaps for area-based conservation (e.g., OECM creation within specific resource industries).
* ***Industry Champions*** - As owners of private lands and users of many Crown lands that could potentially qualify as OECMs, industry partners could best be engaged for specific Pathway deliverables through Pathway working groups or invited as subject matter experts to particular Pathway discussions. Industry champions may have insights that could contribute to specific area-based conservation issues.

1. [*One with Nature*](https://static1.squarespace.com/static/57e007452e69cf9a7af0a033/t/5c6b0c49ec212d75453bba98/1550519371801/Pathway-Report-Final-EN.pdf) [↑](#footnote-ref-1)
2. *The Pathway Journey*: <https://www.conservation2020canada.ca/s/Compressed_3750-Gov-of-Canada-The-Pathway-Journey-FINAL-WEB.pdf> [↑](#footnote-ref-2)
3. [Home — Conservation 2020 (conservation2020canada.ca)](https://www.conservation2020canada.ca/home) [↑](#footnote-ref-3)
4. In some circumstances, regional organizations or individuals may uniquely hold national-level expertise related to area-based conservation, enabling them to contribute national-level perspectives. These circumstances will be collectively assessed by NSC on a case-by-case basis. [↑](#footnote-ref-4)
5. Inuit Tapiriit Kanatami does not actively participate on the Pathway NSC at this time, but may in the future. [↑](#footnote-ref-5)