



TERMS OF REFERENCE

International Indigenous Working Group on HIV & AIDS

Document control

Response Strategic Leadership: Canadian Aboriginal AIDS Network

Response Coordination: Trevor Stratton/Denise Lambert

Author: IIWGHA Leaders

Version: V.4

Status: Revised May 27, 2019

Permissions: Public Document

Table of Contents

- 0. DOCUMENT CONTROL..... 1
- 1. INTRODUCTION..... 3
- 2. VISION..... 3
- 3. MISSION..... 3
- 4. GUIDING PRINCIPLES..... 3
- 5. ROLES AND RESPONSIBILITIES..... 3
- 6. CO-LEADERS..... 4
- 7. SCOPE..... 4
- 8. RECRUITMENT..... 5
- 9. TERM..... 5
- 10.GOOD STANDING..... 5
- 11.COMMITTEES & TASK FORCES..... 6
- 12.GOVERNANCE & DECISION-MAKING..... 6
- 13.MEETINGS..... 6

1. Introduction

The terms of reference have been adopted to guide the work of the IIWGHA outlining the protocol and processes to be followed as we work together to operationalize our strategic plan.

2. Vision

The IIWGHA's envisions a world where Indigenous communities are empowered to direct the course of their own HIV prevention, care, treatment and support.

3. Mission

The IIWGHA's mission is to create an international voice and structure that links Indigenous peoples with their Indigenous leadership, varying levels of governments, AIDS service organizations, cooperatives, and others in a global collective action to lower the disproportionate impact of HIV and AIDS experienced by Indigenous peoples.

- By harnessing the power of Indigenous peoples to reduce the spread of HIV and increase the quality of life by strengthening collaborations between international Indigenous communities, while respecting their autonomy and diversity;
- By increasing culturally appropriate prevention, care, treatment, and support for HIV and AIDS through collective advocacy, education, and sharing of wise practices and socio-culturally relevant evidence;
- By creating opportunities for networking, collaborative advocacy, and resource brokering amongst Indigenous communities; and
- By creating a global voice and hope for an ideal future for Indigenous people living with and affected by HIV & AIDS.

4. Guiding Principles

Supported by the principles outlined in the "Toronto Charter", "ILO Convention 169", "Greater Involvement of People living with AIDS (GIPA)", "UN Declaration for the Rights of Indigenous Peoples".

5. Roles and Responsibilities

The International Indigenous Working Group on HIV and AIDS provides:

- Consensus based and culturally informed evidence advice on the implementation of the *"The International Indigenous Strategic Plan on HIV & AIDS for Indigenous Peoples and Communities from 2018 to 2024"*
- Leadership on Indigenous knowledge and response options to the HIV Epidemic for Indigenous peoples as it relates to HIV & AIDS
- Providing advice to IIWGHA on the impacts and efficacy of the operational aspects of the strategic plan
- Relevant evaluation frameworks for assessing the impact of stated objectives
- Scientific / technical recommendations on the most appropriate course of action
- Working with the health programs of each member state of the UN, in order to include Indigenous Peoples and their health systems to reduce gaps in the global goals 90-90-90 UNAIDS targets.
- Ensuring that international cooperation includes Indigenous Peoples in their regional and global support programs, including networks of key populations and youth.

6. Co-leaders

The Co-Leaders will have core roles and responsibilities that include:

- IIWGHA Leadership will consist of two Co-leaders. The 2 positions will hold in balance male/female and/or transgender Co-leaders. One Co-leader position shall be held by an Indigenous person who identifies as male and one Co-leader position shall be held by an Indigenous person who identifies as female.
- Co-leader terms will be staggered, be selected by the IIWGHA Leadership and sit for a term of two years.
- Either Co-leader shall take the role of IIWGHA Spokesperson according to the consensus of Leaders.
- Regular communication with the IIWGHA Leadership and host organization;
- Working with the host organization to have regular IIWGHA Leadership meetings, bi-annual IIWGHA meetings at an Indigenous Pre-conference at the International AIDS Conference, to ensure quorum on essential decisions made by the IIWGHA Leadership and IIWGHA members at their meetings.

7. Scope

The IIWGHA will maintain autonomy within countries, to define themselves as Indigenous peoples within their own territories, and to select their country's representatives to sit on the IIWGHA Leadership. The IIWGHA organizes itself through a country by country Leadership structure to generate a core group of active members with a high level of communication.

- Each country of the IIWGHA will have autonomy in its methods of selection of members to sit as IIWGHA Leaders. IIWGHA will take into consideration regional balance, gender balance, people living with HIV involvement and youth participation in the selection;
- Each country will remain open to engaging with their Indigenous populations;
- The IIWGHA recognizes that Indigenous Peoples receive varying levels of support from their respective governments and authorities. It will be important for countries of the IIWGHA to engage their traditional, territorial Indigenous populations in order to discover how to support their participation with the IIWGHA;
- It will be the responsibility of the individual members of the IIWGHA, within their respective countries, to identify the appropriate governing authorities in their territories. Further, to ensure that appropriate measures and protocols have been pursued within their countries to communicate and engage with Indigenous Peoples and their traditional governing structures.

8. Recruitment

Recruitment on to the working group will be defined by the *Leadership Recruitment Policy* and will be overseen by the Orientation, Accountability and Recruitment Committee (OAR).

9. Term

- a) IIWGHA Leaders will be selected by their countries for a term of three years.
- b) IIWGHA terms will be staggered for sustainability and knowledge turnover.
- c) The IIWGHA Co-leader role will be selected by the IIWGHA and sit for a term of three years.
- d) Each IIWGHA Leader will be given the option to run for back-to-back terms.
- e) IIWGHA Leaders will benefit from an indeterminate number of terms, for as long as they are in good standing.

10. Good Standing

- A. IIWGHA Leaders will be in good standing if they:
- Are Indigenous
 - Abide by these Terms of Reference
 - Comply with the IIWGHA Code of Conduct Policy
 - Have not surpassed his/her term
 - Do not miss 3 consecutive meetings without just cause

B. Termination of IIWGHA Leaders

A Leadership appointment to the IIWGHA is transferable only to the IIWGHA and, in provision to any other provisions in this Terms of Reference providing for ceasing to be a Leader of IIWGHA, is terminated and automatically lapses when one of the following events occur:

- The Leaders' designated term on IIWGHA expires;
- The Leader dies or in the case of a Leader that is affiliated with a corporation or unincorporated organization is liquidated or dissolved;
- A Leader fails to maintain any qualifications for Leadership described in the section on Leadership conditions of these Terms of Reference;
- The Leader resigns by delivering a written resignation to IIWGHA in which case such resignation shall be effective on the date specified in the resignation;
- The Leader is expelled in accordance with section C below or is otherwise terminated in accordance with these Terms of Reference; or
- The IIWGHA is liquidated or dissolved.

C. Suspension and Discipline of Leaders

The IIWGHA, by special resolution duly passed, shall have authority to suspend or expel any Leader from the IIWGHA for any one or more of the following grounds:

- Violating any provision of the Terms of Reference or written policies of IIWGHA;
- Carrying out any conduct which may be detrimental to the IIWGHA as determined by IIWGHA in its sole discretion;
- For any other reason that the IIWGHA in its sole and absolute discretion considers to be reasonable, having regard for the purpose of the IIWGHA.

In the event that the IIWGHA determines that a Leader should be disciplined, expelled or suspended from the Leadership of IIWGHA, the Chairperson of the Orientation, Accountability and Recruitment (OAR) Committee, or such other Leader as may be designated by IIWGHA, shall provide thirty (30) days' notice of the proposed discipline, suspension or expulsion to the Leader and shall provide reasons for the proposed discipline, suspension or expulsion. The Leader may make written submissions to the OAR Committee Chairperson, or such other officer as may be designated by IIWGHA, in response to the notice received within such thirty (30) day period.

In the event that no written submissions are received by the OAR Committee Chairperson, the OAR Committee Chairperson or such other officer as may be designated by the IIWGHA, may proceed to notify the Leader that the Leader is disciplined, suspended or expelled from the Leadership of IIWGHA.

If written submissions are received in accordance with this section, the IIWGHA will consider such submissions in arriving at a final decision and shall notify the Leader concerning such final decision with a further thirty (30) days from the date of receipt of the submissions. The IIWGHA's decision shall be final and binding on the Leader, without any further right of appeal.

11. Committees & Task Forces

From time to time, the IIWGHA may agree to bring together a committee or task force to work on particular issue. The committee or task force will be members of the IIWGHA and will therefore adhere to this Terms of Reference and be accountable to the IIWGHA. In certain circumstances, outside experts who are not IIWGHA Leaders may be invited to sit on committees where deemed necessary by IIWGHA.

12. Governance & Decision-making

- a) **Language** – The business of IIWGHA will be conducted in both Spanish and English through consecutive interpretation of all verbal meetings and translation of all documents in both languages.
- b) **Consensus** - The IIWGHA will decide by consensus about which issues will be voted on by IIWGHA. These decisions will be reflected in meeting minutes.
- c) **Voting** - It expected that each IIWGHA Leader consults within their constituency to inform their position to vote. IIWGHA Leaders in good standing are entitled to one vote either in person or by proxy.
- d) **Quorum** - Decisions made by the IIWGHA will be considered valid by obtaining a quorum of votes at a meeting. Quorum is one third of the current Leadership for decisions of the IIWGHA as a whole. Indigenous Leaders of the IIWGHA are voting members. Indigenous Leadership will be open to Indigenous organizations and individual Indigenous people. Indigenous Leaders are accountable to the Indigenous peoples within their countries.

13. Meetings

A. Modes

- i. Depending on necessity and cost, regular IIWGHA meetings will take place either in person or through technological mechanisms such as: teleconference and/or videoconference, such as Zoom or Skype.

B. Bi-Annual Meeting

- i. The IIWGHA will aim to have one general meeting once every two years open to IIWGHA Leaders to be conducted during the Indigenous Pre-conference at the International AIDS Conferences.
- ii. The meeting will be open to all IIWGHA Leaders and invited guests.

C. IIWGHA Meetings

- i. The IIWGHA will meet on a regular basis. The IIWGHA will have discretion as to whether the regular meetings are monthly, bi-monthly etc. according to level of work required.

D. Notice of Meetings

- i. The IIWGHA will work with the host organization to ensure that there is notice given before a meeting. The purpose of the notice, is to ensure countries are given enough time to consult, discuss and provide opinions and suggestions on important issues that affect them, and will be able to inform their IIWGHA proxy who may be voting on their behalf.
- ii. IIWGHA is given 3 weeks' notice before a special meeting.
- iii. IIWGHA Leaders are given 2 weeks' notice before an IIWGHA meeting.

E. Reasonable Cause

- i. If an IIWGHA Leader must miss a meeting, they are required to give the IIWGHA reasonable cause at least twenty-four hours prior to the meeting.
- ii. Reasonable cause will include: illness or financial difficulty in accessing the meeting.
- iii. IIWGHA Leaders that do not provide reasonable cause before missing 3 meetings will not be in good standing.

F. Confidentiality

- i. All IIWGHA Leaders and any IIWGHA special task force members or committee members will treat information obtained within the course of the fulfillment of their duties, especially preliminary discussions and decisions of the IIWGHA, as confidential. The IIWGHA will achieve internal consensus about how and when confidential information will be available externally.

G. Conflict of interest

- i. At the beginning of each regular meeting of IIWGHA, Leaders will declare if they have any conflict of interest pertaining to the agreed upon agenda.
- ii. Leaders of the IIWGHA will ensure that, to their knowledge, there will be no conflict of interest in the fulfillment of their duties and in abiding to the Terms of Reference of the IIWGHA.
- iii. A conflict of interest will include Leaders not voting on matters, such as, but not limited to, financial allocations, memberships, and actions of the IIWGHA that involve their own personal or professional interest and/or gain.
- iv. A Leader who is discovered not to have declared a conflict of interest where one clearly exists will be considered not in good standing.

On occasions the Co-Leader may invite individuals with specific knowledge to attend the IIWGHA meetings to provide additional advice as required.

Only members of the IIWGHA may be party to the conclusions of the group. Representatives of Government departments that are not members of the IIWGHA are able to attend by invitation and may speak but will not be party to the conclusions drawn. Government departments have a separate process through policy development advisory groups to contribute their points of view.

Disclaimer: *This Terms of Reference shall be considered a living document of the IIWGHA to evolve with the IIWGHA itself and to adapt to the autonomy and diversity of Indigenous communities.*