



104<sup>th</sup> Meeting of the IUCN Council  
By conference call, 22 June 2021

DECISIONS<sup>1</sup>

Dec. #	Council Decision
<b>Agenda</b> (Agenda Item 1)	
C104/1	The IUCN Council, <u>Adopts</u> the agenda of its 104 <sup>th</sup> Meeting. ( <b>Annex 1</b> )
<b>IUCN World Conservation Congress</b> (Agenda Item 4)	
<b>Voting methods during Congress<sup>2</sup></b>	
C104/2	<p>The IUCN Council,</p> <p><i>Desirous</i> to be responsive to the concerns raised by IUCN Members that not all Members will have equal opportunity to travel to the Congress venue due to the pandemic;</p> <p><i>Mindful</i> to bring closure to the consideration of alternative formats of the Congress in order to allow all the Secretariat, the Host Country, other constituent parts of IUCN and its partners to use the short time before Congress to prepare for a successful event,</p> <p><i>In light of</i> the exceptional circumstances created by the pandemic caused by Covid-19,</p> <p><i>Recognizing that</i> not all IUCN Members will have equal opportunity to travel to Marseille in September 2021, and</p> <p><i>Concerned in particular</i> for those Members of IUCN from the same Region or Country, as well as Indigenous Peoples' Organizations, who may be particularly affected by this situation and unable to travel and participate in the World Congress and meeting of the Members' Assembly,</p> <p><u>Decides:</u></p> <p><b>A. Voting for elections</b></p> <ol style="list-style-type: none"> <li>1. That, in order to hold elections during Congress in the most secure way possible under conditions that apply equally to all IUCN Members, the elections be held by an online vote open to all IUCN Members eligible to vote, in accordance with Regulation 94, paragraphs c. to e. and under the supervision of the Election Officer and Deputy Election Officer.</li> <li>2. To request the Secretariat to adapt IUCN's online voting system normally used for voting between sessions of the Congress, to the requirements of elections, under</li> </ol>

<sup>1</sup> The definitive wording of decisions is subject to Council's approval of the summary minutes in accordance with Regulation 52.

<sup>2</sup> Adopted by email correspondence on 8 July 2021 following a proposal from the Bureau of the IUCN Council (95<sup>th</sup> meeting, 2 June 2021).

	<p>the supervision of the Election Officer and Deputy Election Officer.</p> <ol style="list-style-type: none"> <li>3. That the vote on elections will be open from 4 September 2021 at 7 AM UTC and close on 7 September 2021 at 6 PM UTC.</li> <li>4. That if a 2<sup>nd</sup> round for the election of the President is needed in accordance with Rule 81, paragraph (i.), the Election Officer (or Deputy Election Officer) will open an additional online vote on 8 September 2021 at a time to be determined by her/him, which shall be closed 24 to 30 hours later in time for the election results to be announced before the close of Congress on 10 September 2021.</li> <li>5. To request the Secretariat to organize a presidential candidates' debate by broadcasting or recording a virtual debate and post the recording on the Congress website prior to the vote or onsite in person as part of the meeting of the National and Regional Committees on 3 September 2021 (livestreamed and accessible to all Congress participants).</li> </ol> <p><b>B. Voting on motions and decision items other than elections</b></p> <ol style="list-style-type: none"> <li>6. That motions and all other decision items, except elections, will be voted upon at the Members' Assembly by the duly accredited delegates of IUCN Members who may hold proxies from IUCN Members not present onsite, in accordance with the Rules of Procedure of the IUCN World Conservation Congress, in order to ensure that Resolutions may timely contribute to other valued environmental decision making processes and that the Marseille outcomes be finalized at the Congress.</li> </ol> <p><b>C. Contact Groups</b></p> <ol style="list-style-type: none"> <li>7. To agree, as set out in Council document C104/2.1/1 and as elaborated in Council decision C104/3 that Contact Groups be organized virtually to allow Members off site to participate in the discussion of content of motions.</li> </ol> <p><b>D. Draft Congress Agenda</b></p> <ol style="list-style-type: none"> <li>8. That the Revised Draft Congress Agenda will be modified to take into account that elections will be held online.</li> </ol> <p><u>Decides</u> to focus all further efforts on the implementation of the decisions already taken, especially for the Secretariat, the Host Country and relevant bodies, and to make no more changes to the structure or form of Congress except in the event of force majeure.</p>
<b>Contact Groups<sup>3</sup></b>	
C104/3	<p>The IUCN Council,</p> <p><i>On the recommendation of the Motions Working Group,</i></p> <p><i>Based on Article 48 of the Statutes, in light of the exceptional circumstance that as a result of the pandemic caused by Covid-19, not all IUCN Members will have equal opportunity to travel to Marseille in September 2021, so that a potentially significant number of IUCN Members from the same Region or Country, as well as Indigenous Peoples' Organizations, may be particularly affected by this situation,</i></p> <p><u>Decides:</u></p> <ol style="list-style-type: none"> <li>1. To request the Secretariat to organize virtual meetings of the contact groups established by the Congress Resolutions Committee, at least for a first reading of motions, in accordance with Rule 56 and open to all interested IUCN Members</li> </ol>

<sup>3</sup> Adopted by email correspondence on 8 July 2021 following a proposal from the Bureau of the IUCN Council (95<sup>th</sup> meeting, 2 June 2021).

	<p>whose representatives will have registered for the Congress.</p> <ol style="list-style-type: none"> <li>2. That the Congress Resolutions Committee may decide to use its authority under Rule 56 (d)<sup>4</sup> to continue discussion of a motion in person onsite if, after discussion of the motion in a virtual contact group, it proves hard to achieve a consensus text in a virtual meeting.</li> <li>3. To requests the Motions Working Group to review the “<a href="#">Procedure and Code of Conduct for Contact Groups</a>” approved by Council in February 2020 and make a recommendation to Council on any changes required to make them applicable to virtual contact group meetings;</li> <li>4. That Council takes note of the Motions Working Group’s guidance to IUCN Members on the application of Rule 53 regarding urgent and new topics including that the deadline for submission will be the end of the 1<sup>st</sup> plenary sitting of the Members’ Assembly on 4 September 2021.</li> </ol>
<b>Modifications to certain Council motions on amendments to the IUCN Statutes</b>	
C104/4	<p>The IUCN Council,</p> <p><i>On the recommendation of the Governance and Constituency Committee (GCC),</i></p> <p><u>Approves</u> modifications to Council motions on amendments to the Statutes and other IUCN governance issues (motions E, H and I in <b>Annex 2</b>), to take into account the comments and amendments proposed by IUCN Members during the online discussion which ended on 3 December 2020,</p> <p><u>Recommends</u> the Resolutions Committee of Congress to table these revised versions for discussion at Congress instead of the versions approved by Council (C98, February 2020) and published on 11 March 2020.</p>

08.07.2021

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<sup>4</sup> Rule 56 (d): “For issues that prove hard to resolve in contact groups, the Resolutions Committee of the facilitator of a contact group may set up one or more drafting groups that balance the spectrum of views on the motion, for the purpose of achieving a consensus text. Should a consensus remain impossible, the drafting groups may decide to present minority views as amendments.”



## 104<sup>th</sup> Meeting of the IUCN Council<sup>1</sup>

By conference call on 22 June 2021 from 10.00 AM to 5.30 PM UTC

### Agenda

#### Agenda Item 1: Introduction by the President and approval of the agenda

*Letters from IUCN Members with comments on the agenda incl. the voting procedure at Congress have been posted in the Union Portal as documents C104/1/2, C104/1/3, etc.*

#### Agenda Item 2: Report of the Director General incl. an update on the financial situation of IUCN

*The Director General (DG) will present his overall accountability report for the period December 2020 through June 2021 including an update on the financial situation of IUCN. Council members are invited to watch the DG's audio-visual presentation and send their questions or comments by email prior to the meeting. During the meeting, the DG will briefly comment on his report and respond to any questions/comments, as was practiced during the 102<sup>nd</sup> Council meeting (December 2020). The Treasurer and the Chair of FAC will be invited to comment, respectively share their recommendations, on the financial situation.*

#### Agenda Item 3: Reports of the Commission Chairs<sup>2</sup>

*Council members are invited to watch the Chairs' audio-visual presentations of their respective Commission's report on outputs, outcomes, impact and resources (Regulation 78bis) which will be made available in advance of the meeting. They are also invited to send their questions or comments by email prior to the meeting. During the meeting, the Chairs will briefly present the highlights of their reports and respond to any questions/comments received ahead of the meeting – as was practiced during the 102<sup>nd</sup> Council meeting (December 2020) for the reports of SSC, WCEL and WCPA.*

#### Agenda Item 4: IUCN World Conservation Congress

##### 4.1 Plan for a fall-back scenario in case Congress is cancelled

*Recommendations from the Congress Preparatory Committee (CPC) as requested by Council decision C103/2<sup>3</sup>. See C104/4 Report of the 14<sup>th</sup> meeting of the CPC 14 June 2021 final.*

##### 4.2 Options for Members to participate virtually in the Members' Assembly

*Any consideration or recommendations from CPC and the Motions Working Group (MWG) on this topic which will have been discussed at their meetings of, respectively, 14 June 2021 (CPC 14), 8 and 18 June 2021 (MWG). (cf. documents of CPC14 including notes from the MWG 8 June 2021; and C104/4 Report of the 14<sup>th</sup> meeting of the CPC 14 June 2021 final)*

<sup>1</sup> This will be the second of two virtual Council meetings convened in the first half of 2021 in order to enable the IUCN Council to discharge its oversight, strategic direction and fiduciary responsibilities. The first meeting C103 was held on 27 April 2021. In principle, C104 be the last ordinary meeting of the IUCN Council during the present term. There will be a short Council meeting (C105) to be held in person in Marseille on the eve of the opening of the IUCN World Conservation Congress, i.e. on 2 September 2021.

<sup>2</sup> In May 2018, all six Commission Chairs presented to Council their first annual report of the present term. It was agreed that, from 2019 onwards, three Chairs would presented their report at the first Council meeting of the year and the three other Chairs at the second Council meeting. As a result, CEM, CEESP and CEC presented their reports to C96 (March 2019) and C98 (February 2020), while SSC, WCEL and WCPA presented their reports to C97 (October 2019) and C102 (December 2020). The reports to be presented to the 104<sup>th</sup> Council meeting will cover the period from their last report to Council until the Congress.

<sup>3</sup> Council decision 103/2 (27 April 2021): “[...] Requests the Secretariat to prepare and present to the CPC for the purpose of making a recommendation to Council, a plan for a fall-back scenario in case the Congress would need to be cancelled at a later stage as a result of a possible deterioration of the health situation in France in order to ensure that the decisions pertaining to the Members' Assembly can be taken by electronic vote as quickly as possible.”

**4.3 Membership of Congress Committees**

*The Chair of CPC will provide an update on the process to identify candidates for committee membership from Council and from IUCN Members. See also C104/4 Report of the 14<sup>th</sup> meeting of the CPC 14 June 2021 final.*

**4.4 Possible revisions of Council motions on IUCN governance**

*Recommendations from the Governance and Constituency Committee (GCC) on any modifications to the Council motions on IUCN governance including amendments to the Statutes taking into account the comments and amendments proposed by IUCN Members during the online discussion which ended on 3 December 2020.*

**4.5 Council Report to Congress**

*Update on the preparation of Council's Report to Congress initiated by the Bureau.*

**4.6 Update from the Secretariat on the Covid-19 health measures at the Congress****Agenda Item 5: Implementation of Council's response to the External Review of IUCN's governance**

*Recommendations from the Governance and Constituency Committee (GCC) and/or the Bureau to implement GCC's action plan on Council's Response to the External Review.*

**Agenda Item 6: Any other business****6.1 Members facing financial difficulties and unable to pay membership dues as a result of the pandemic**

*Proposal resulting from the 94<sup>th</sup> Bureau meeting (2<sup>nd</sup> meeting) held on 21 June 2021.*

*Endnote: The standing committees of the Council have already completed their business and reported either to the Council (C103 on 27 April) or the Bureau (B93 on 26 May 2021) with the exception of the GCC which is expected to present recommendations C104 for agenda items 4.4 and 5. Cf.:*

- *FAC75 held on 14 April 2021 and FAC76 held on 17 May 2021*
- *PPC56 held on 23 March 2021 and PPC57 held on 17 May 2021*
- *GCC32 held on 7 April 2021, GCC33 held on 11 May 2021 and GCC34 held on 10 June 2021.*



IUCN WORLD CONSERVATION CONGRESS  
3-10 September 2021, Marseille, France

## Proposed amendment to the IUCN Statutes:

### Improvements to the motions process to protect the intellectual independence of the knowledge-based and evidence-based work carried out by the Commissions and Secretariat of IUCN

**Action Requested:** The World Conservation Congress is invited to CONSIDER the proposed amendments to the IUCN Statutes to improve the motions process submitted by the Council under Article 105 of the IUCN Statutes.

#### DRAFT MOTION

The IUCN World Conservation Congress,

**Adopts** the following amendments to the Statutes of IUCN: (*cf. Table attached hereafter as Annex 1*)

[...]

#### EXPLANATORY MEMORANDUM

##### Background

1. Following the IUCN World Conservation Congress 2016, the IUCN Council considered a broad range of feedback and suggestions in view of considering improvements to the motions process:

- The [2016 IUCN Congress Participant Survey Report](#) dated 18 January 2017
- Feedback by IUCN Members on the online Motions Process<sup>1</sup>
- The recommendations of the 2016 Congress Resolutions Committee<sup>2</sup>
- The article “IUCN’s encounter with 007: safeguarding consensus for conservation” published in *Oryx*<sup>3</sup> whose authors come from a broad cross-section of IUCN.

2. Council’s response to the feedback and suggestions approved at its 95<sup>th</sup> meeting in October 2018 ([decision C/95/11](#)) included proposed amendments to the IUCN Statutes, the Rules of Procedure of the World Conservation Congress and the Regulations. It was presented to IUCN Members for online discussion in November–December 2018<sup>4</sup>.

<sup>1</sup> A summary is available as Annex 1 of [Council document C/93/GCC/3.2](#) (p. 651)

<sup>2</sup> “*The IUCN Motions Process. Reflections from the 2016 WCC Resolutions Committee*” available as Annex 2 of [Council document C/93/GCC/3.2](#) (p. 651)

<sup>3</sup> Stuart, S., Al Dhaheri, S., Bennett, E., Biggs, D., Bignell, A., Byers, O., . . . Von Weissenberg, M. (2017). IUCN’s encounter with 007: Safeguarding consensus for conservation. *Oryx*, 1-7. doi:[10.1017/S0030605317001557](https://doi.org/10.1017/S0030605317001557), referred to hereafter as Stuart, *et al.*, 2017.

<sup>4</sup> The table with the Council’s detailed response to the feedback is available as [Annex 20 to Council decision C/95/19](#) (p. 170).

3. As requested by Congress decision WCC-2016-Dec-113<sup>5</sup>, the proposed amendments to the Rules of Procedure were submitted to an electronic vote by IUCN Members in March 2019. All proposed amendments were approved.
4. The proposed amendments to the Regulations were adopted by Council at its 96<sup>th</sup> meeting in March 2019 ([Council decision C/96/17](#)).
5. The present proposal concerns the Council proposals to amend the Statutes. They were presented by members of Council to all Regional Conservation Forums (RCF) held in 2019, and posted online for comments until 15 September 2019.

### **Proposed amendment to the Statutes to protect the intellectual independence of knowledge-based and evidence-based work carried out by the Commissions and Secretariat of IUCN**

6. Council recommends to protect the intellectual independence of the work carried out by the Commissions and Secretariat under IUCN's technical role, thus protecting such work from partisan interference from any source. Most organizations have no such guarantees of independence. As a knowledge-based Union that prides itself on evidence-based dialogue, convergence and consensus building, it is imperative that IUCN retains its hard-earned and critical technical and convening roles for long-term conservation outcomes and impacts.
7. The term "undue influence" in the proposed amendment to Article 3 of the Statutes means the influence by which the Commissions or the Secretariat, in their intellectual work, are induced to act otherwise than by upholding high standards.
8. No objections were received from IUCN Members during the RCF or the online consultation.
9. In June 2021, following review of the comments and proposals made by IUCN Members during the online discussion ending on 3 December 2020, the Council decided to make a slight amendment to its proposal, in response to a comment made, that referring only to standards of scientific work is inadequate in that it fails to recognise other knowledge systems, when making reference to the work carried out by the Commissions and Secretariat of IUCN. Council therefore decided to propose this amendment to Congress.

### **Entry into effect**

10. Unless decided otherwise by the Congress, the proposed amendments, if adopted, will come into effect at the end of the Congress.

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<sup>5</sup> [Proceedings of the 2016 Members' Assembly](#) (p. 20)

**Proposed amendment to the IUCN Statutes to protect the intellectual independence  
of the knowledge-based and evidence-based work carried out by the Commissions and Secretariat of IUCN**

Amendment #	Existing provisions of the IUCN Statutes:	Proposed amendments (with track changes)	Revised version of the IUCN Statutes (all track changes 'accepted')
1.	<p><b>Article 3 of the Statutes</b></p> <p>To attain these objectives, IUCN: [...]</p> <p>(f) develops expert networks and information systems to support its Members and components; [...]</p>	<p><b>Article 3 of the Statutes</b></p> <p>To attain these objectives, IUCN: [...]</p> <p>(f) develops expert networks <del>and information systems</del> to support its Members and components;</p> <p><u>(f) bis provides scientific information and other knowledge systems in the form of assessments, analysis, publications and advice on the status and trends of nature and natural resources, including on threats, conservation measures and future scenarios;</u> [...]</p>	<p><b>Article 3 of the Statutes</b></p> <p>To attain these objectives, IUCN: [...]</p> <p>(f) develops expert networks to support its Members and components;</p> <p>(f) <i>bis</i> provides scientific information and other knowledge systems in the form of assessments, analysis, publications and advice on the status and trends of nature and natural resources, including on threats, conservation measures and future scenarios; [...]</p>
2.	[none]	<p><b>[New] Article 3bis of the Statutes</b></p> <p><u>In working towards the objectives outlined in Article 3 (f) <i>bis</i> of the Statutes, the IUCN Secretariat and the IUCN Commissions are required to uphold high standards of scientific work and other knowledge systems and will be free from undue influence in this regard.</u></p>	<p><b>[New] Article 3bis of the Statutes</b></p> <p>In working towards the objectives outlined in Article 3 (f) <i>bis</i> of the Statutes, the IUCN Secretariat and the IUCN Commissions are required to uphold high standards of scientific work and other knowledge systems and will be free from undue influence in this regard.</p>

**IUCN WORLD CONSERVATION CONGRESS  
3–10 September 2021, Marseille, France**

## **Establishment, operating rules and oversight of National, Regional and Interregional Committees**

**Action Requested:** The IUCN World Conservation Congress is requested to:

**Thank and acknowledge** the outgoing IUCN Council for its reflections on the requirements for establishing National Committees, Regional Committees and Interregional Committees, including proposed actions to strengthen Council's oversight of Committees to ensure their transparency, independence and integrity;

**Recognise** the value of the National, Regional and Interregional Committees within the Union;

**Request** the next IUCN Council to study these reflections, in consultation with representatives from Members, or National/Regional/Interregional Committees and/or the Global Group for National and Regional Committee Development, taking into account the comments received from Members during the online discussion and at Congress, as summarised in the report of the Governance Committee of the Congress; and

**Authorise** the next IUCN Council, in consultation with representatives from Members, or National/Regional/Interregional Committees and/or the Global Group for National and Regional Committee Development, to develop proposals for consultation with the Members and submission to an electronic vote by IUCN Members during the intersessional period.

### **EXPLANATORY MEMORANDUM**

As part of its work to improve IUCN's governance, namely in the following areas:

B2. Clarify, modify or develop the requirements for establishing National, Regional and Interregional Committees, acknowledging that the establishment of Interregional Committees (IRC) may have political as well as ecological motives;

B7. Guidance to IUCN's National, Regional and Interregional Committees to ensure their transparency, independence and integrity, including the respect of IUCN brand use guidelines and non-competition; see [Council document C98/GCC25/1.1.2.2](#) (pp. 315–332).

Recalling the following Resolutions:

- [Res. 4.003](#) Strengthening IUCN's National and Regional Committees (Barcelona, 2008);
- [Res. 5.005](#) Strengthening of the IUCN National and Regional Committees and the use of the three official languages in documents for internal and external communication by IUCN and its Members (Jeju, 2012);
- [Res. 6.002](#) IUCN Global Group for National and Regional Committee Development (Hawai'i, 2016); and

Stressing the important role that National and Regional Committees play as a critical link between the Secretariat and the Union's constituencies, the IUCN Council 2016–2020, reviewed the requirements for the establishment, the operating rules and oversight of National, Regional and Interregional Committees.

At its 98<sup>th</sup> meeting in February 2020, the IUCN Council, based on the recommendation of its Governance and Constituency Committee (GCC), decided to share its reflections with Congress, inviting it to discuss these issues in a contact group and provide its feedback and guidance to the next Council through the report of the Governance Committee of Congress.

A draft motion proposed by Council requests the next IUCN Council, in consultation with representatives from Members, National/Regional/Interregional Committees and/or the Global Group for National and Regional Committee Development, to continue the work undertaken on this topic with a view to developing proposals for submission to the IUCN membership by electronic vote following consultation with IUCN Members. This work aims to ensure that all Committees have and apply the same rules, while meeting the IUCN statutory requirements, and address the support needed to ensure the Committees are able to carry out their work.

Council should work in coordination with the Secretariat to ensure that its work includes strengthening the support and engagement of Members and Committees, and ensuring they work more effectively with all IUCN constituencies.

### **The requirements for establishing National, Regional and Interregional Committees**

Due to the inconsistency between the conditions and process for the establishment and recognition of the various types of Member Committees, and for their daily functioning and maintenance, discussions have been taking place within GCC on how to harmonise the conditions to be eligible for recognition of all Committees, to ensure a proper democratic process and legitimacy. In order to define the common standards applicable to all types of Committees, and consider how the Statutes and Regulations may be amended, the Secretariat developed a set of questions/considerations for discussion in GCC. See [Council document C98/GCC25/1.1.2.2](#) (pp. 315–332).

Whilst some of the questions listed were answered, the GCC felt that there was more discussion needed, particularly around the issues of composition, scope and governance.

### **Guidance to IUCN's National, Regional and Interregional Committees to ensure their transparency, independence and integrity, including the respect of IUCN brand use guidelines and non-competition**

Discussions have raised concerns about Council oversight of IUCN National and Regional Committees and the related risks to the Union. A number of options to strengthen this have been proposed.

More information on this matter can be found in [Council document C98/GCC25/1.1.2.2](#) (pp. 315–332).

### **Comments, questions and options for consideration of Congress**

The Tables in [Annex 1](#) set out processes relating to the establishment and running of Committees, comments and questions for consideration as well as opportunities and potential problems for each type of Committee, which were considered by the Governance and Constituency Committee of the IUCN Council 2016–2020.

GCC felt that there were a number of additional questions that should be considered in the development of this proposal:

- Voting issue – one member one vote. There was a divergence of views within the GCC.
- Governance issues relating to voting rights in the Members' Assembly in cases where there might be more than one Regional Committee. Care should be taken to avoid dual representation since Committees are allowed to hold proxies for Members. The principle

of belonging to only one National and Regional Committee is therefore important and is an issue that should be extended to apply to Interregional Committees.

- Definition of the different types of Committee.
- Areas of operation of the different Committees.
- Is it a good idea to allow committees to have their own separate legal personality distinct from that of IUCN?

Among the options to be considered are:

- Effectively implement the **obligation to submit an annual report** to Council.
- Provide for the **obligation of the Council to review the report** and ask questions to the Committee with this regard.
- Have a **standardised website for each Committee**.
- **Review the Operational Guide for National and Regional Committees, the license agreement and the logo rules for National and Regional Committees** (according to the IUCN Brand Book) and ask each Committee to sign a revised copy.
- **Consider amending Articles 65–66bis of the Statutes and/or Regulations 66 (f) and 67 (a) of the Regulations.**
- **Review the templates of all documents (including by-laws) completed by the Committees for recognition by Council** and request each Committee to complete the new forms in order to have the latest version on file and/or complete the review of all documents on file and analyse risk assessment and compliance with IUCN Statutes.
- **Review any statutory implications and have those approved by Members by electronic vote.**

**Processes relating to the establishment and running of Committees,  
comments and questions for consideration as well as opportunities and potential problems**

**a) National Committees (NCs)**

	<b>National Committees (NCs)</b>	<b>Comments and questions raised</b>	<b>Considerations and comments by GCC</b>
<b>Establishment process</b>	No process described / no mention of participation on equal terms (as opposed to Reg. 62 – which only refers to RCs)	<p>1. There shall be a minimum of three Members required to <i>decide on the establishment</i> of a NC. What about States that have only 2 Members? How can they coordinate and collaborate? Regional Committee? Country office, Regional office? Are they likely to want to establish a Committee if there are only 2 of them?</p> <p>2. The principle of “one member one vote” shall be adopted (participation on equal terms) in the establishment process of NCs.</p> <p>3. Does the establishment process need to be further clarified (application process, survey, e-vote)?</p> <p>Having a clear establishment process will remove doubt from the process. Survey is simplest but the e-vote system provided by the Secretariat can also be used. It will need to be decided who is responsible for the process as adequate resources will have to be put in place (e.g. Secretariat to set up the survey/e-vote, but then monitoring is time consuming. Also, who will the survey/e-vote link be sent to within each organisation? Does the Secretariat have those details?</p>	<p>1. Consideration by GCC: Yes, there should be a minimum of three Members.</p> <p>2. Yes, survey/e-vote is appropriate. It is up to the Members to decide how they want to process but by making sure they meet IUCN statutory requirements.</p> <p>3. Members have to be responsible for the establishment of the Committee. It cannot be the Secretariat.</p>
<b>Composition</b>	<ul style="list-style-type: none"> <li>• Restricted to IUCN Members or their representatives (Art. 66)</li> <li>• Open to all IUCN Members in their States (Reg. 61)</li> <li>• Comprise a majority of Members in their States (Reg. 61)</li> </ul>	<p>4. Shall there be a minimum number or percentage of Members required to constitute and/or maintain the existence of the Committee? (Especially for States with only a few Members, e.g. 3). If Members leave, does it mean that Committee is dissolved?</p> <p>5. Council is proposing amendments to the Operational Guide for IUCN National and Regional Committees to allow for the participation in Committee meetings of Commission representatives. (See also comments below on the updating of the Operational guide)</p> <p>6. One Programme approach is adhered to and encourages collaboration between constituents of IUCN.</p>	<p>4. Majority of 50% + 1</p> <ul style="list-style-type: none"> <li>• In that case, the NC/Members must inform the Secretariat, other Members in the State and the Regional Committee if any.</li> <li>• Decision must be included in all Committee documents. Documents of existing Committees must be reviewed.</li> </ul> <p>5. Thought should be given to who will ensure the inclusion of Commissions in the Committees. What if there are no representatives? The inclusion of Commissions remains the decision of each Committee. In any case, this needs to be defined in their by-laws. The Secretariat has the role to connect Committees and the Global Group for NCRs with Commission members.</p> <p>6. Yes, definitely.</p>

<b>Scope</b>	<ul style="list-style-type: none"> <li>• Council recognition of only one Committee for a State (Art. 67(a))</li> <li>• Facilitate cooperation among Members, coordination of the components of IUCN, and participation of Members in the programme and governance of IUCN (Art. 66)</li> </ul>	<p>7. Inclusion of Commissions should encourage further cooperation between the IUCN components.</p> <p>Not all States have established and recognised Committees. What to do in such situations? Could they collaborate with neighbouring States/Regional Committee?</p>	<p>7. <b>Yes, this should be added to the Operational Guide.</b></p> <p><b>Members can't be forced to create National Committees but they need to be made aware of the possibility to establish one in their State. Yes, they can collaborate with neighbouring countries but not join their NCs (unless they are invited as observers). Instead, they should be invited to be a member of the Regional Committee, if any. Any collaboration with neighbouring Committees should be stated in the Committees by-laws.</b></p>
<b>Governance</b>	<p>Some Regulations stipulate governance procedures but they are not clear.</p>	<p>8. What shall the decision-making process of the NCs be, once established, and shall it be defined in the IUCN Regulations?</p> <p><b>Who will monitor? What will the consequences of non-compliance be?</b></p> <p>Oversight/alignment easier to monitor and evaluate if processes are clear. (For example, Reg. 63 refers to Rules of Procedure conforming to IUCN Regulations. If these are clearly stated then conformity will be easier to establish.) If not in Regulations – Operational Guide? By-laws?</p> <p>Restrictiveness/who to monitor/consequences of non-compliance (e.g. (f) – adopting/having their own by-laws but should they conform to the IUCN template? If they change them, should Council approve?)</p> <p>9. The principle of “one Member one vote” be adopted (i.e. participation on equal terms)?</p> <p>10. What does “election” refer to in Article 70 of the Statutes? (Board, governance)</p> <p>11. Do we need to clarify the processes set out in the Regulations (e.g. Reg. 65 (logo use), 66 (a) election, 67 (c) establishment of sub-committees, (f) own by-laws)?</p>	<p>8. <b>The decision-making process of NCs should align with IUCN voting procedures (Art. 30–35 of the Statutes).</b></p> <p><b>Members should monitor. Secretariat should only have an advisory role. Consideration by GCC: Regional Councillors must participate in all committees in the region and have an oversight role. They must report to Council/IUCN through their annual report. (This should be further discussed.)</b></p> <p><b>Consideration by GCC:</b> We should be careful not to add too many details to the Statutes. Instead, the information must be added to the Operational Guide.</p> <p><b>Yes, if they want to change their by-laws, Council must approve the revised by-laws.</b></p> <p>9. <b>No – voting procedure similar to the one described in IUCN Statutes (as mentioned above).</b></p> <p>10. <b>Consideration by GCC:</b> Every IUCN Member has the right to join the respective National Committee of its State and participate in the <b>election</b> of only one Regional Committee.... The word “election” should be replaced by “... in the establishment of only one Regional Committee and the election of its Board”.</p> <p>11. <b>This should be described in the Operational Guide.</b></p>
<b>Other Considerations</b>		<p>12. Should Reg. 64 of the Regulations be amended to include a procedure for NCs, which no longer complies with the composition or other criteria (e.g. not enough Members, governance)? (Currently</p>	<p>12. <b>No amendments required but it should remain.</b></p>

	Operational Guide	<p>Reg. 64 only applies to NCRCs which act inconsistently with the objectives of IUCN.)</p> <p>13. Updating the Operational Guide will give IUCN the opportunity to align Committees. Should it be made obligatory? Sign when established/recognised?</p> <p>14. How to make the guide binding? Nobody has signed this to date, so the process needs to be amended to allow for this.</p>	<p>13. Members must sign the document and return it to the Secretariat.</p> <p>14. The Operational Guide should be reviewed and sent to all Members for signature.</p>
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### b) Regional Committees (RCs)

Implications of having a Regional Committee – achievement of IUCN's Mission, goals and objectives require coordination at all levels. National Committees provide this at the national level. However, there is also benefit to be derived from collaboration at a regional level. Geopolitical influences may change at this level and in order for Members to be effective, coordination at this level is desirable. Regional Committees also give Members an opportunity to network with other organisations from States within their region, thereby enhancing engagement and cooperation across borders and nationally/regionally.

	Regional Committees (RCs)	Comments and questions raised	GCC comments and considerations
<b>Establishment process</b>	All Members in the Region or part of the Region are entitled to participate on equal terms in the constitution process (Reg. 62).	<p>1. There must be a majority of Members in the Region in favour of establishing a RC. Representation of at least half of the Members in the Region of countries that have Members. e.g. 8 countries, at least 4 countries (half of the countries where there are Members)</p> <p>2. Does the establishment process need to be further clarified (application process, survey, e-vote)? It will need to be decided who is responsible for the process as the adequate resources will have to be put in place (e.g. Secretariat to set up the survey/e-vote but then monitoring is time consuming. Also, who will the survey/e-vote link be sent to within each organisation. Does Secretariat have those details?) Having a clear establishment process will remove doubt from the process. Survey is simplest but the e-vote system provided by Secretariat can also be used.</p>	<p>1. Majority ensures engagement of Members. Yes, there should be a majority. Representation of over half of the States in the Region concerned.</p> <p>The Chairs of National Committees are the country representatives who sit on the Regional Committees.</p> <p>In countries where there is no National Committee, the IUCN Members in that country should elect a representative to sit on the Regional Committee. This should be done by survey or e-vote</p> <p>2. Documentation required for the establishment of the Regional Committee to be readily available.</p> <p>Three Members who are in favour must organise themselves to establish the Committee.</p> <p>The by-laws should not conflict with IUCN objectives and rules and regulations.</p> <p>The Operational Guide for National and Regional Committees needs to be updated.</p>

		3. Regulation 62 and 67 (c) establish and operate through sub-national or sub-regional Committees. Hierarchy? What purpose? Do they have to adhere to the same rules. What if they don't – what are the implications for the Regional Committee?	3. Once recognised they can operate in a way they think fit.
<b>Composition</b>	Restricted to IUCN Members or their representatives (Art. 66) <i>No further information in Statutes and Regulations</i>	<p>4. Is membership open to all IUCN Members in the Region or part of the Region?</p> <p>5. Shall there be a minimum number or percentage of Members required to constitute and/or maintain the existence of the Committee (both for a Region or part of the Region (or sub-region 67 (c))?)</p> <p>6. Should there be a maximum number of RCs that may be established for part of one Region?</p> <p>SUR and Meso America have RCs. Both are from the same Statutory region but Members felt it necessary to form separate Committees to address commonalities. If they eventually decide to form one Regional Committee, that will entail the disbanding of the existing committees to maintain the balance in the representation, including at Congress.</p> <p><b>Relationship with other Committees</b></p> <p>7. If there are several RCs in the same Region (e.g. one RC for the Statutory region of Africa, and the ones for the parts of the region for West and Central Africa and East and South Africa), does the RC for Africa sit above the RCs established for part of the Region?</p> <p>8. Inclusion of Commissions should encourage further cooperation between the IUCN components.</p>	<p>4. Yes, Members shall be represented by their Country representative (Chair of the NC) and if there is none, one should be elected.</p> <p>5. Ideally Yes – 50% plus 1. However, if the number falls below 50%, should the RC lose its recognition? No – if the RC is active, they should not.</p> <p>6. Good idea if there are geo-political splits in a region (SUR/Meso America and Africa) but voting will need to be clarified.</p> <p>Care should be taken when deciding to form Regional Committees. Recent changes in the voting system at Congress allow for National and Regional Committees to hold proxy votes for Members.</p> <p>7. Hierarchy – If there are existing RCs for part of a region and a new RC for the Statutory Region is established, the existing ones will be disbanded. This does not prevent sub-regional committees from being established to work on specific issues (e.g. for the Amazon in South America, or Elephant migration corridors in Africa).</p> <p>8. GCC viewed this as essential.</p>
<b>Scope</b>	Council recognition of only one Regional Committee per region or part of the Region (Art. 67(a)) facilitate cooperation among Members, coordination of the components of IUCN, and participation of Members in the programme and governance of IUCN (Art. 66)	<p>9. Does “part of the Region” need to be clarified? (Articles 66 67 (a) of the Statutes and Regulation 62 of the Regulations). Define “sub-regional Committee (Reg. 67 (c)).</p> <p>10. Shall there be an extra scope and purpose to establish a RC for “part of a Region”, in addition to “cooperation with Members and participation of Members in the programme and governance of IUCN (Art. 66 of the Statutes)”?</p> <p>11. If so, what could this extra scope be? Should it be based on geographical, political and/or ecological motives?</p> <p>12. Who should define such scope and purpose – all IUCN Members through the Statutes, Council or the Members composing the RC?</p>	<p>9. No, it is fine as it is.</p> <p>11. Yes.</p> <p>12. The Region should decide on the scope, but it should be approved by Council.</p>

<b>Governance</b>		<p>13. What shall the decision-making process of the RCs be, once established, and shall it be defined in the IUCN Regulations?</p> <p>14. Shall the principle of “one member one vote” be adopted (i.e. participation on equal terms), as for the establishment process?</p> <p>15. What does “election” refer to in Reg. 70? (board, governance)</p>	
<b>Other considerations</b>		<p>16. Should Reg. 64 of the Regulations be amended to include a procedure for RCs which no longer comply with the composition or other criteria (e.g. not enough Members, governance)? (Reg. 64 only applies to NCRCs which act inconsistently with the objectives of IUCN.)</p> <p>17. Reporting structure. Should there be a standardised template for reporting? What will be done with these reports? How does Council follow up on any non-compliance? What are the consequences to be?</p>	<p>17. Yes, but the use of them needs to be clarified. There is huge potential with these reports – to showcase the work that the RCs are doing, the One Programme Approach, the Programme and financial opportunities. However, this needs to be further reflected on.</p> <p>It would be helpful to establish a template for the Committees to use to simplify and have uniform reports.</p>

**c) Recommendations and questions on Interregional Committees**

At the 21<sup>st</sup> meeting of the Governance and Constituency Committee on 23 September 2019, it was proposed that the intention behind the establishment, the scope and purpose of Interregional Committees (IRCs) be clarified. Due to the specific issues linked to IRCs, the meeting recommended that a full meeting of the GCC should consider issues of establishment, scope and composition, separately from NCRC, while trying to retain as many similar requirements as possible as for NCRCs. Proposals for statutory changes may be made or if needed, the matter can be discussed at Congress.

	<b>Interregional Committees</b>	<b>Comments and questions raised</b>	<b>GCC comments and considerations</b>
<b>Establishment process</b>	<p><i>No information in Statutes and Regulations</i></p> <p>Decision C/69/54 states that the establishment has to be supported by more than 50% of the Membership in each of the regions concerned.</p>	<p>1. Shall the requirements on the establishment process defined in decision C/69/54 be maintained or amended, including the minimum number or percentage of Members required to decide on the establishment of an IRC?</p> <p>2. Does the establishment process need to be further clarified (application process, survey, e-vote)?</p>	<p>1. Simple majority of Members in each of the Region supporting. No strong views of mechanism that would prove that the majority is there.</p>
<b>Composition</b>	<p><i>No information in Statutes and Regulations</i></p> <p>1. <i>No information in decision C/69/54</i></p>	<p>3. Shall the number of regions to constitute an IRC be limited to two, or be unlimited?</p> <p>4. Shall there be a minimum number or percentage of Members required in each Region to constitute and/or maintain the existence of the Committee?</p>	<p>3. Could allow for a wide range of purposes.</p> <p>4. Composition – could it be more than two regions? In principle yes, as long as it is to promote collaboration between Members.</p>

		<p>5. With many regions, what are the implications of representation and voting?</p> <p><b>Relationship with other types of Committees</b></p> <p>6. Shall the establishment of an IRC exclude the possibility of having a Regional Committee for the same Region? In other words, shall an IRC be allowed only if there is not already a Regional Committee for the same Region/s?</p> <p>7. If both an IRC and an RC can co-exist for the same Regions, should an IRC sit above a Regional Committee?</p> <p>8. Can there be two IRCs covering the same Region (in other words can a Region be part of two IRCs)?</p> <p>Should IRCs be de-linked from other types of Committees? (In other words, could Members participate and have voting rights in more than one type of Committee?)</p> <p>For example, what would happen if an IRC for Meso and South America were created and Spain wished to join them? They cooperate in many ways. However, they don't have to be members of the Committee to cooperate. Iberia group not eligible for IRC – platform for coordination.</p>	<p>Governance issues are important. One implies that the others don't exist.</p> <p>Following the logic of requiring a minimum number to establish, there should be a minimum number of Members to maintain the existence. The RC is defined as the Committee for Statutory regions or part of a region. However, for the purposes of forming an IRC, the region is only an association of 2 Statutory regions. We have to be very clear and know the existing definition of a region.</p> <p>Definition of an IRC is key. Also, what are its areas of operation? GCC considered that it is not good to have a legal status for committees.</p> <p>How are the rights set out in the Statutes? Rights of RCs so that when you create an IRC you don't take away the potential rights of a RC.</p> <p>5. Voting issue needs to be discussed.</p> <p>There are governance issues that need to be considered, for example, representation of RC at Congress. Avoid dual representation. An amendment that was introduced was the possibility of Committees being accredited with speaking rights and holding the proxy of Members. The principle of only belonging to one NC and RC, the exceptions should apply to the IRC.</p> <p>6. It should be up to the regions who make up that IRC, probably not because it is not appropriate. The RC should be able to make decisions without the approval of the IRC.</p> <p>Voting to be allowed in more than one committee.</p>
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<b>Scope</b>	<p>3. Council recognition for defined purposes and on such terms as it considers appropriate (Art. 67 (b))</p> <p>4. Decision C/69/54: The purpose and scope of the proposed Interregional Committee is clear and does not clash with any other IUCN organs.</p>	<p>9. Should IRCs only be allowed/recognised for a defined purpose (Article 67 (b) of the Statutes) in addition to cooperation among Members?</p> <p>10. If so, what could this extra scope be? Should it be based on geographical, political and/or ecological motives? Commonalities? (As for Regional Committees above)</p> <p>11. Who should define such scope and purpose – all IUCN Members through the Statutes, Council or the Members composing the IRC?</p> <p>12. Shall the idea that the purpose and scope of the proposed IRC, not to clash with any other IUCN organs (decision C/69/54), be maintained?</p> <p>13. Shall the IRC be limited in time?</p>	<p>9. Defining the purposes would avoid confusion.</p> <p>10. Support One Programme Approach and collaboration.</p> <p>13. The same terms should apply for NC and RC.</p>
<b>Governance</b>		<p>14. What shall the decision-making process of the IRC be and shall it be defined in the IUCN Regulations?</p> <p>15. Shall the balance between the Regions composing the IRC be guaranteed through a double majority requirement (majority required in each region in order to adopt a decision)?</p> <p>16. Shall the principle of “one member one vote” be adopted?</p>	<p>14. These should be defined in the by-laws but it would be appropriate to have it by majority of the Members in each of the regions.</p>
<b>Other considerations</b>		<p>17. Should the rights related to motions be extended to IRCs (Reg. 66ter of the Regulations)?</p> <p>18. Should IRCs be allowed to work outside their regions (Reg. 66bis of the Regulations)?</p> <p>19. Should the IRC be authorised to establish itself as a separate legal entity (Article 71 (a) of the Statutes)?</p> <p>20. Should reporting from IRCs be done on an annual basis as for NCRCs? (Article 66 (d) of the Regulations indicates once a year; decision C/69/54, every 2 years)</p> <p>21. Should withdrawal of IRCs be covered by Reg. 64 of the Regulations as for NCRCs or is a different process required? (refer to decision C/69/54)</p>	<p>17. IRCs should have the right to submit motions, but it is not appropriate for them to work outside of the region.</p> <p>18. Allows for collaboration.</p> <p>19. Not appropriate to aim for a legal entity if seen as a platform for <u>collaboration</u>.</p> <p>20. What are the reports going to be used for? <u>It should really be to showcase</u> work and how everything adds up. Secretariat currently makes no use of the reports that are submitted. How can these be used to address concerns of Members and implement the Membership Strategy? Reports can be used to showcase the work undertaken by Committees.</p> <p>21. Withdrawal – same regulations as for NC and RC.</p>
<b>General</b>	From minutes of call on 23 September 2019	An IRC should be formed based on geographical consideration rather than ecological consideration. There are other mechanisms that exist to deal with such situations.	Other questions for further consideration include:

		<p>There are several Governance issues of Members being on more than one Committee.</p>	<p>Would an IRC require representation from 2 or more regions – but if there are no regional committees existing, what then? If we envisage that an IRC can be established when there are no RCs existing, then we should ensure that the majority of the Members are part of each of those Committees. (During the call, GCC decided that IRCs should be composed of the majority of Members from each of the regions.</p> <p>Under Regulation 67 (b), Council may recognise IRCs for purposes they consider appropriate. A decision is needed on what the purpose of an IRC might be and whether this is envisaged to be wider than other Committees are. The Legal Adviser has suggested that the wording of the Statutes implies that IRCs should have a specific objective and scope to be created, whereas NRCs are more geographically bound. As a result, the Chair of GCC felt that more time was needed to decide whether there could be some other objective for IRCs.</p> <p>What has been understood as the highest confirmation is that we have representation.</p> <p>Regional Committees within a statutory region. If the majority of the Members decide to establish a regional committee that will be the same as the statutory region. There should be no Regional Committee for a part of the Region within the same Statutory region.</p> <p>Representation in the Members' Assembly. Cannot have double representation. Given the fact that there is already a committee for South America, if the Members in the Amazonian Committee could be recognised by SUR RC they would not have the same representation at the Assembly.</p>
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**IUCN WORLD CONSERVATION CONGRESS**  
**3–10 September 2021, Marseille, France**

**Proposed amendments to the IUCN Statutes and the  
IUCN Regulations:**  
**Functions of the IUCN Treasurer**

**Action Requested:** The World Conservation Congress is invited to CONSIDER the proposed amendments to the IUCN Statutes and the IUCN Regulations regarding the functions of the IUCN Treasurer submitted by the IUCN Council under Articles 105 and 29 of the IUCN Statutes.

**DRAFT MOTION**

The IUCN World Conservation Congress,

**Adopts** the following amendment to the Statutes and Regulations of IUCN: (*cf. Table attached hereafter as Annex 1*)

**Decides** that they shall become effective at the close of the IUCN World Conservation Congress.

**EXPLANATORY MEMORANDUM**

**The issue**

Specific functions of the Treasurer are described in various places in the Statutes and the Regulations, without there being a provision defining the Treasurer's main role.

While the Statutes place the overall responsibility for oversight on the IUCN Council, they give the Treasurer specific financial oversight responsibilities linked primarily to budgets, financial plans and the audited financial statements.

In contrast, the Regulations place the emphasis on providing advice to the Director General. However, the Regulations are silent on whether or not the Treasurer's advice needs to be followed. In the absence of such a requirement, it is assumed that the Director General has an obligation to ask the Treasurer for advice but no obligation to act on such advice.

The requirement for the Treasurer to provide both oversight and advice creates a conflict of interest.

In addition, to properly exercise an advisory role to the management would require the Treasurer to accept a level of liability and investment of time that cannot be expected from a voluntary position.

## **Council's proposal**

Part of its Response to the External Review of aspects of IUCN's governance, the IUCN Council reviewed the role of the Treasurer in the light of financial and risk management requirements of IUCN and good governance practice.

Details of the proposed revisions are shown in Annex 1. The key changes are:

### **1. The Statutes**

Articles 88 and 89: Clear separation of the roles of the Director General and the Treasurer in respect of the finances of IUCN. The over-riding role of the Treasurer is defined in article 89 as "The Treasurer shall provide advice on the financial affairs of IUCN and report to the World Congress and the Council as described in the Regulations."

A provision has been added to Article 89 to enable the Treasurer's advice to Council to be based on official information sourced from the Director General and to establish the basis for the Director General and the Treasurer to communicate on financial matters.

As a result, Article 20 should be revised by adding the requirement for Congress to receive a separate report from the Treasurer as opposed to a joint report from the Director General with the Treasurer on the financial affairs of IUCN.

### **2. The Regulations**

Article 88: Requirement for the Director General to consult with the Treasurer on various financial matters has been removed as this was neither practical, nor was there any requirement for the Director General to act on any advice received.

Article 90*bis*: New article detailing the role of the Treasurer in providing advice to Congress and in assisting Council with its financial oversight responsibilities.

## **Process**

The IUCN Council reviewed the functions of the Treasurer in the context of its [Response to the External Review of aspects of IUCN's governance](#) approved by Council in January 2020. The proposal was therefore not presented for discussion to the Regional Conservation Forums together with the other proposals of the Council to improve the governance of IUCN.

The proposal was prepared by the Council's Governance and Constituency Committee with involvement of the Treasurer, the Chief Financial Officer and the Legal Adviser. The Council's Finance and Audit Committee concurred with the proposal.

## Proposed amendments to the IUCN Statutes and the IUCN Regulations regarding the functions of the IUCN Treasurer

Existing provisions of the IUCN Statutes	Amendments (with track changes)	New version of the IUCN Statutes as amended (all track changes 'accepted')
<p><b>Part V - The World Conservation Congress</b></p> <p><u>Functions</u></p> <p>20. The functions of the World Congress shall be <i>inter alia</i>: (...) (c) to receive and consider the reports of:</p> <p>(i) the Director General on the activities of IUCN during the period since the preceding session of the World Congress;</p> <p>(ii) the Director General with the Treasurer on the financial affairs of IUCN; (...)</p>	<p><b>Part V - The World Conservation Congress</b></p> <p><u>Functions</u></p> <p>20. The functions of the World Congress shall be <i>inter alia</i>: (...) (c) to receive and consider the reports of:</p> <p>(i) the Director General on the activities <u>and the financial affairs</u> of IUCN during the period since the preceding session of the World Congress;</p> <p>(ii) the <del>Director General with the Treasurer on the financial affairs of IUCN;</del> (...)</p>	<p><b>Part V - The World Conservation Congress</b></p> <p><u>Functions</u></p> <p>20. The functions of the World Congress shall be <i>inter alia</i>: (...) (c) to receive and consider the reports of:</p> <p>(i) the Director General on the activities and the financial affairs of IUCN during the period since the preceding session of the World Congress;</p> <p>(ii) the Treasurer; (...)</p>
<p><b>Part XI – Finance</b></p> <p>88. The Director General shall: (...) (d) with the Treasurer, submit to each ordinary session of the World Congress, a report on the consolidated accounts of IUCN together with the auditors' reports for the relevant years;</p> <p>(e) submit to each ordinary session of the World Congress for approval, a draft programme and financial plan for the period until the next ordinary session of the World Congress, together with the comments of the Treasurer and the Council; (...)</p>	<p><b>Part XI – Finance</b></p> <p>88. The Director General shall: (...) (d) <del>with the Treasurer,</del> submit to each ordinary session of the World Congress, a report on the consolidated accounts of IUCN together with the auditors' reports for the relevant years;</p> <p>(e) submit to each ordinary session of the World Congress for approval, a draft programme and financial plan for the period until the next ordinary session of the World Congress, <del>together with the comments of the Treasurer and the Council;</del> (...)</p>	<p><b>Part XI – Finance</b></p> <p>88. The Director General shall: (...) (d) submit to each ordinary session of the World Congress, a report on the consolidated accounts of IUCN together with the auditors' reports for the relevant years;</p> <p>(e) submit to each ordinary session of the World Congress for approval, a draft programme and financial plan for the period until the next ordinary session of the World Congress; (...)</p>

<p>(g) keep the Treasurer informed of unforeseen expenses and important variations from the projected income and, if necessary, submit amended budgets to the Council in agreement with the Treasurer.</p>	<p>(g) <del>keep the Treasurer informed in the event</del> of unforeseen expenses and important variations from the projected income <u>inform the Council</u> and, if necessary, submit amended budgets to the Council <del>for approval in agreement with the Treasurer.</del></p>	<p>(g) in the event of unforeseen expenses and important variations from the projected income inform the Council and, if necessary, submit amended budgets to the Council for approval.</p>
<p>89. The Treasurer may object on financial grounds to any proposed alteration of the budget, and shall inform the Council of such objection.</p>	<p>89. The Treasurer <del>may object on financial grounds to any proposed alteration of the budget, and shall inform the Council of such objection.</del> shall:</p> <p><u>(a) provide advice on the financial affairs of IUCN and report to the World Congress and the Council as described in the Regulations;</u></p> <p><u>(b) be kept informed by the Director General about IUCN's financial situation between sessions of the Council.</u></p>	<p>89. The Treasurer shall:</p> <p>(a) provide advice on the financial affairs of IUCN and report to the World Congress and the Council as described in the Regulations;</p> <p>(b) be kept informed by the Director General about IUCN's financial situation between sessions of the Council.</p>

Existing provisions of the IUCN Regulations	Amendments (with track changes)	New version of the Regulations as amended (all track changes 'accepted')
<p><b>Part IX - Finance</b></p> <p><u>Financial Powers of the Director General</u></p> <p>88. The Director General, in consultation with the Treasurer, shall:</p> <p>(a) as necessary, establish detailed financial policies and procedures, which may differ according to the requirements of the States in which IUCN is operating;</p> <p>(b) have the power to accept grants, donations and other payments on behalf of IUCN, subject to any instruction by the Council;</p>	<p><b>Part IX - Finance</b></p> <p><u>Financial Powers of the Director General</u></p> <p>88. The Director General, <del>in consultation with the Treasurer,</del> shall:</p> <p>(a) as necessary, establish detailed financial policies and procedures, which may differ according to the requirements of the States in which IUCN is operating;</p> <p>(b) have the power to accept grants, donations and other payments on behalf of IUCN, subject to any instruction by the Council;</p>	<p><b>Part IX - Finance</b></p> <p><u>Financial Powers of the Director General</u></p> <p>88. The Director General shall:</p> <p>(a) as necessary, establish detailed financial policies and procedures, which may differ according to the requirements of the States in which IUCN is operating;</p> <p>(b) have the power to accept grants, donations and other payments on behalf of IUCN, subject to any instruction by the Council;</p>

<p>(c) designate the banks in which the funds of IUCN shall be kept;</p> <p>(d) be responsible for ensuring that the legal requirements of business operation are met in all States where IUCN is operating;</p> <p>(e) maintain an appropriate level of reserves; and</p> <p>(f) implement appropriate risk management strategies.</p>	<p>(c) designate the banks in which the funds of IUCN shall be kept;</p> <p>(d) be responsible for ensuring that the legal requirements of business operation are met in all States where IUCN is operating;</p> <p>(e) maintain an appropriate level of reserves; and</p> <p>(f) implement appropriate risk management strategies.</p>	<p>(c) designate the banks in which the funds of IUCN shall be kept;</p> <p>(d) be responsible for ensuring that the legal requirements of business operation are met in all States where IUCN is operating;</p> <p>(e) maintain an appropriate level of reserves; and</p> <p>(f) implement appropriate risk management strategies.</p>
<p>90. In keeping IUCN accounts and controlling expenditure, the Director General shall: (...) (d) confer in person with the Treasurer and external auditors each year on the annual audit of the financial statements of IUCN.</p>	<p>90. In keeping IUCN accounts and controlling expenditure, the Director General shall: (...) (d) confer <del>in person</del> with the Treasurer and external auditors each year on the annual audit of the financial statements of IUCN.</p>	<p>90. In keeping IUCN accounts and controlling expenditure, the Director General shall: (...) (d) confer with the Treasurer and external auditors each year on the annual audit of the financial statements of IUCN.</p>
<p>[none]</p>	<p><u>(new provision) The Treasurer</u></p> <p><u>90bis (a) The Treasurer shall provide advice and report to the World Congress, in particular on the financial health of IUCN, the audited financial statements and the draft financial plan.</u></p> <p><u>(b) The Treasurer shall assist the Council in its oversight function regarding the financial affairs of IUCN and in particular, shall:</u></p> <p><u>(i) provide advice and comments to the Council on the draft annual budget submitted by the Director General for approval;</u></p> <p><u>(ii) provide advice on reserves and risk management strategies;</u></p>	<p><u>(new provision) The Treasurer</u></p> <p>90bis (a) The Treasurer shall provide advice and report to the World Congress, in particular on the financial health of IUCN, the audited financial statements and the draft financial plan.</p> <p>(b) The Treasurer shall assist the Council in its oversight function regarding the financial affairs of IUCN and in particular, shall:</p> <p>(i) provide advice and comments to the Council on the draft annual budget submitted by the Director General for approval;</p> <p>(ii) provide advice on reserves and risk management strategies;</p>

	<p><u>(iii) confer with the external auditors each year on the annual audit of the financial statements of IUCN.</u></p>	<p>(iii) confer with the external auditors each year on the annual audit of the financial statements of IUCN.</p>
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IUCN WORLD CONSERVATION CONGRESS  
3-10 September 2021, Marseille, France

**Proposed amendment to the IUCN Statutes and Rules of Procedure:  
Improvements to the motions process to put a cap on the number  
of abstentions in order for a motion to be adopted**

**Action Requested:** The World Conservation Congress is invited to CONSIDER the proposed amendments to the IUCN Statutes to improve the motions process submitted by the Council under Article 105 of the IUCN Statutes.

**DRAFT MOTION**

The IUCN World Conservation Congress,

**Adopts** the following amendments to the Statutes of IUCN: (*cf. Table attached hereafter as Annex 1*)

[...]

**EXPLANATORY MEMORANDUM**

**Background**

1. Following the IUCN World Conservation Congress 2016, the IUCN Council considered a broad range of feedback and suggestions in view of considering improvements to the motions process:

- The [2016 IUCN Congress Participant Survey Report](#) dated 18 January 2017
- Feedback by IUCN Members on the online Motions Process<sup>1</sup>
- The recommendations of the 2016 Congress Resolutions Committee<sup>2</sup>
- The article “IUCN’s encounter with 007: safeguarding consensus for conservation” published in *Oryx*<sup>3</sup> whose authors come from a broad cross-section of IUCN.

2. Council’s response to the feedback and suggestions approved at its 95<sup>th</sup> meeting in October 2018 ([decision C/95/11](#)) included proposed amendments to the IUCN Statutes, the Rules of Procedure of the World Conservation Congress and the Regulations. It was presented to IUCN Members for online discussion in November–December 2018<sup>4</sup>.

<sup>1</sup> A summary is available as Annex 1 of [Council document C/93/GCC/3.2](#) (p. 651)

<sup>2</sup> “*The IUCN Motions Process. Reflections from the 2016 WCC Resolutions Committee*” available as Annex 2 of [Council document C/93/GCC/3.2](#) (p. 651)

<sup>3</sup> Stuart, S., Al Dhaheri, S., Bennett, E., Biggs, D., Bignell, A., Byers, O., . . . Von Weissenberg, M. (2017). IUCN’s encounter with 007: Safeguarding consensus for conservation. *Oryx*, 1-7. doi:[10.1017/S0030605317001557](#), referred to hereafter as Stuart, *et al.*, 2017.

<sup>4</sup> The table with the Council’s detailed response to the feedback is available as [Annex 20 to Council decision C/95/19](#) (p. 170).

3. As requested by Congress decision WCC-2016-Dec-113<sup>5</sup>, the proposed amendments to the Rules of Procedure were submitted to an electronic vote by IUCN Members in March 2019. All proposed amendments were approved.

4. The proposed amendments to the Regulations were adopted by Council at its 96<sup>th</sup> meeting in March 2019 ([Council decision C/96/17](#)).

5. The present proposal concerns the Council proposals to amend the Statutes. They were presented by members of Council to all Regional Conservation Forums (RCF) held in 2019, and posted online for comments until 15 September 2019.

### **Proposed amendment to the Statutes to put a cap on the number of abstentions in order for a motion to be adopted**

6. Feedback from the 2016 Congress suggested that IUCN Members considered the number of abstentions too high.

7. This was in part due to the rule that IUCN Members who chose not to cast a vote, either during Congress or during an electronic vote between sessions of Congress, were considered to have abstained (and were counted together with those who had voted “abstention”). This rule has been removed from the Rules of Procedure and the Regulations as a result of the electronic vote of IUCN Members on reforms of the motions process in March 2019.

8. However, some IUCN Members suggested that even without this rule, the number of IUCN Members deliberately voting “abstention” on one or more motions could still be very high. They suggested to put a cap on the number of abstentions and amend Article 32 of the Statutes in order to provide that if the number of abstentions was one-third or more of all votes (including abstentions) in each Category A and in Category B/C combined, the motion would not be adopted.

9. The impact of such an amendment could be high. A simulation exercise, applying such a rule to the voting results of the electronic vote on motions prior to the 2016 Congress and of the vote on motions during the 2016 Congress shows that as much as one-third of the motions voted on electronically prior to Congress would not have been approved. However, during the 2016 Congress, such a rule would have affected only two motions.

10. As such an amendment would increase the legitimacy and support for Resolutions and Recommendations, the Council decided to consult the IUCN Members during the RCF and online. Some Members expressed concerns and raised questions in relation to putting a cap on the number of abstentions for a motion to pass arguing that Members should continue to be able to abstain without necessarily blocking the motion from being adopted.

11. The Council decided to slightly modify its initial proposal and suggest that the Statutes be amended as proposed but that, if due to the high number of abstentions, the motion put to the vote is not adopted in a first vote, there be held a second vote under the same conditions. That is, the same rule regarding abstentions defined in Article 32 of the Statutes will also apply to the second vote. In addition, the second vote shall be held on the same text that was submitted to the first vote. This will allow delegations at Congress to consult and possibly modify their position in order to reduce the number of abstentions. The Chair of the Members’ Assembly could decide that the second vote be held at a later moment during the Members’ Assembly, possibly after referring the motion to a contact group.

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<sup>5</sup> [Proceedings of the 2016 Members’ Assembly](#) (p. 20)

12. Motions not approved during the electronic vote on motions held prior to the Congress because of the high number of abstentions will be referred to the Members' Assembly for a second vote. The latter will require an amendment to Rule 62*quinto*.

13. In June 2021, following review of the comments and proposals made by IUCN Members during the online discussion ending on 3 December 2020, the Council decided to make a slight amendment to its proposal in order to clarify, in response to a comment made, that the second vote shall be held on the same text that was submitted to the first vote.

#### **Entry into effect**

14. Unless decided otherwise by the Congress, the proposed amendments, if adopted, will come into effect at the end of the Congress.

**Proposed amendment to the IUCN Statutes and Rules of Procedure  
to put a cap on the number of abstentions in order for a motion to be adopted**

Amendment #	Existing provisions of the IUCN Statutes:	Proposed amendments (with track changes)	Revised version of the IUCN Statutes (all track changes 'accepted')
1.	<p><b>Article 32 of the Statutes</b></p> <p>Abstentions shall not be counted as votes cast.</p>	<p><b>Article 32 of the Statutes</b></p> <p>Abstentions shall not be counted as votes cast. <u>However, if the number of abstentions is one-third or more of all votes in either Category A or Categories B and C combined, the motion is not adopted. In this case, a second vote shall be held on the same conditions and on the same text that was submitted to the first vote.</u></p>	<p><b>Article 32 of the Statutes</b></p> <p>Abstentions shall not be counted as votes cast. However, if the number of abstentions is one-third or more of all votes in either Category A or Categories B and C combined, the motion is not adopted. In this case, a second vote shall be held on the same conditions and on the same text that was submitted to the first vote.</p>

Amendment #	Existing provisions of the IUCN Rules of Procedure	Proposed amendments (with track changes)	Revised version of the IUCN Rules of Procedure (all track changes 'accepted')
1.	<p><b>Rule 62<sup>quinto</sup> of the Rules of Procedure</b></p> <p>62<sup>quinto</sup>. Following the close of the online discussion the Motions Working Group will</p> <p>(a) submit each motion, as amended during the online discussion or together with proposed amendments, as appropriate, to an electronic vote of the IUCN Members eligible to vote with the exception of the motions that warrant debate at the global level during the Congress which will continue to be discussed and voted upon during the Members' Assembly. The electronic vote</p>	<p><b>Rule 62<sup>quinto</sup> of the Rules of Procedure</b></p> <p>62<sup>quinto</sup>. Following the close of the online discussion the Motions Working Group will</p> <p>(a) submit each motion, as amended during the online discussion or together with proposed amendments, as appropriate, to an electronic vote of the IUCN Members eligible to vote with the exception of the motions that warrant debate at the global level during the Congress which will continue to be discussed</p>	<p><b>Rule 62<sup>quinto</sup> of the Rules of Procedure</b></p> <p>62<sup>quinto</sup>. Following the close of the online discussion the Motions Working Group will</p> <p>(a) submit each motion, as amended during the online discussion or together with proposed amendments, as appropriate, to an electronic vote of the IUCN Members eligible to vote with the exception of the motions that warrant debate at the global level during the Congress which will continue to be discussed and voted upon during the Members' Assembly. The electronic</p>

	<p>shall be opened and closed on dates prior to the opening of Congress to be determined by Council. Paragraphs c. to g. of Regulation 94 shall apply <i>mutatis mutandis</i> to the electronic vote on motions; or</p> <p>(b) refer to the Members' Assembly for continued debate and vote on the floor, motions which have been the subject of such discussion and divergent proposed amendments or that are so controversial that it is, in the opinion of the Motions Working Group, not possible to produce a consensus text for submission to a decision by electronic vote prior to Congress.</p>	<p>and voted upon during the Members' Assembly. The electronic vote shall be opened and closed on dates prior to the opening of Congress to be determined by Council. Paragraphs c. to g. of Regulation 94 shall apply <i>mutatis mutandis</i> to the electronic vote on motions; <del>or</del></p> <p>(b) refer to the Members' Assembly for continued debate and vote on the floor, motions which have been the subject of such discussion and divergent proposed amendments or that are so controversial that it is, in the opinion of the Motions Working Group, not possible to produce a consensus text for submission to a decision by electronic vote prior to Congress; <del>or</del></p> <p><u>(c) refer to the Members' Assembly for a second vote the motions referred to in Article 32 of the Statutes which have not been adopted due to the high number of abstentions.</u></p>	<p>vote shall be opened and closed on dates prior to the opening of Congress to be determined by Council. Paragraphs c. to g. of Regulation 94 shall apply <i>mutatis mutandis</i> to the electronic vote on motions;</p> <p>(b) refer to the Members' Assembly for continued debate and vote on the floor, motions which have been the subject of such discussion and divergent proposed amendments or that are so controversial that it is, in the opinion of the Motions Working Group, not possible to produce a consensus text for submission to a decision by electronic vote prior to Congress; or</p> <p>(c) refer to the Members' Assembly for a second vote the motions referred to in Article 32 of the Statutes which have not been adopted due to the high number of abstentions.</p>
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## Proposed amendment to the IUCN Statutes: Improvements to the motions process regarding the majority required to adopt motions

**Action Requested:** The World Conservation Congress is invited to CONSIDER the proposed amendments to the IUCN Statutes to improve the motions process submitted by the Council under Article 105 of the IUCN Statutes.

### DRAFT MOTION

The IUCN World Conservation Congress,

**Adopts** the following amendments to the Statutes of IUCN: (*cf. Table attached hereafter as Annex 1*)

[...]

### EXPLANATORY MEMORANDUM

#### Background

1. Following the IUCN World Conservation Congress 2016, the IUCN Council considered a broad range of feedback and suggestions in view of considering improvements to the motions process:

- The [2016 IUCN Congress Participant Survey Report](#) dated 18 January 2017
- Feedback by IUCN Members on the online Motions Process<sup>1</sup>
- The recommendations of the 2016 Congress Resolutions Committee<sup>2</sup>
- The article “IUCN’s encounter with 007: safeguarding consensus for conservation” published in *Oryx*<sup>3</sup> whose authors come from a broad cross-section of IUCN.

2. Council’s response to the feedback and suggestions approved at its 95<sup>th</sup> meeting in October 2018 ([decision C/95/11](#)) included proposed amendments to the IUCN Statutes, the Rules of Procedure of the World Conservation Congress and the Regulations. It was presented to IUCN Members for online discussion in November–December 2018<sup>4</sup>.

<sup>1</sup> A summary is available as Annex 1 of [Council document C/93/GCC/3.2](#) (p. 651)

<sup>2</sup> “*The IUCN Motions Process. Reflections from the 2016 WCC Resolutions Committee*” available as Annex 2 of [Council document C/93/GCC/3.2](#) (p. 651)

<sup>3</sup> Stuart, S., Al Dhaheri, S., Bennett, E., Biggs, D., Bignell, A., Byers, O., . . . Von Weissenberg, M. (2017). IUCN’s encounter with 007: Safeguarding consensus for conservation. *Oryx*, 1-7. doi:[10.1017/S0030605317001557](https://doi.org/10.1017/S0030605317001557), referred to hereafter as Stuart, *et al.*, 2017.

<sup>4</sup> The table with the Council’s detailed response to the feedback is available as [Annex 20 to Council decision C/95/19](#) (p. 170).

3. As requested by Congress decision WCC-2016-Dec-113<sup>5</sup>, the proposed amendments to the Rules of Procedure were submitted to an electronic vote by IUCN Members in March 2019. All proposed amendments were approved.
4. The proposed amendments to the Regulations were adopted by Council at its 96<sup>th</sup> meeting in March 2019 ([Council decision C/96/17](#)).
5. The present proposal concerns the Council proposals to amend the Statutes. They were presented by members of Council to all Regional Conservation Forums (RCF) held in 2019, and posted online for comments until 15 September 2019.
6. Following consideration of the comments made by IUCN Members, the Council decided not to pursue one of its proposals which concerned the increase of the majority required for adopting motions from a simple majority to a two-thirds majority.

### **Proposed amendment to the Statutes regarding the majority required to adopt motions**

7. Concerned that every attempt is made to achieve the broadest possible support for a motion before it is put to the vote and to ensure a genuine interest for all participants to engage in discussions and negotiations, the IUCN Council proposes to increase the majority requirement for voting on motions. This would increase the incentives to negotiate in good faith, as it would be harder for a motion to be adopted in the absence of consensus. And it would increase the legitimacy of IUCN's policy and the likelihood of Resolutions being implemented. A two-thirds majority is considered effective for this purpose.
8. A concrete case in point where an increased majority requirement would have had the desired effect was the difficult discussion in Hawai'i (2016) of motion 007 (the "James Bond" motion) about "Closure of domestic markets for elephant ivory". One of the problems was that a group of IUCN Members was so confident to achieve a simple majority that very little, if any efforts were made in the contact group to negotiate.
9. Council's proposed amendment would only apply to motions referred to in Rule 48*bis*, i.e. motions that, when adopted, take the form of a Resolution or Recommendation defining the general policy of IUCN, influence policies or actions of third parties, or addressing the governance of IUCN. The simple majority rule will continue to apply for all other decisions to be approved by Congress, such as the adoption of the IUCN Programme, the mandates of the IUCN Commissions, or any procedural motions.
10. This proposal generated both strong support and strong opposition among the IUCN Members commenting during the RCF and online. Some also wrote to Council to express their concerns. In support of the motion was the fact that moving to a 2/3 majority would avoid highly divisive situations and encourage people to work together. Concerns were raised that such a move would mean that IUCN becomes less able to adopt innovative motions that change the status quo and advance needed changes. Similarly, there was concern that if adopted, this requirement would prevent the adoption of proposals relevant at a regional, national and local level, for example, because people who don't understand the issues, would abstain.
11. A simulation exercise, applying a two-thirds majority rule to the results of the votes on motions in 2012 and 2016, reveals that its impact would in fact be limited:
  - Of the 85 motions voted on electronically prior to the 2016 Congress, the following three motions would not have been adopted under a two-thirds majority rule:

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<sup>5</sup> [Proceedings of the 2016 Members' Assembly](#) (p. 20)

- Motion 011 with amendment 2 – “Greater protection needed for all pangolin species” (71% in Cat. A and 62% in Cat. B), noting that this was only the second of three versions of the motion submitted with amendments. The other two versions were approved with two-thirds majority.
- Motion 060 with amendment 1 – “Pacific region climate resiliency action plan” (adopted by 64% in Cat. A and 65% in Cat. B).
- Motion 075 with amendment 1 – “Best practice for industrial-scale development projects” (67% in Cat. A and 63% in cat. B), noting that this was only the first of two versions approved with amendments. The other version was approved with two-thirds majority.
- All 20 additional motions (becoming Resolutions/Recommendations) adopted during the 2016 Congress would also have been adopted under a two-thirds majority rule. The only motion adopted that would not have passed under a two-thirds majority rule was “Motion / Moción - 6.1 IUCN Programme 2017-2020: Amendment 2” which concerned an amendment to the IUCN Programme.
- All 186 motions (becoming Resolutions/Recommendations) adopted during the 2012 Congress would also have been adopted if the majority requirement was two-thirds. There were three votes on amendments to these motions that would not have passed under a 2/3 majority rule (amendments on Motions 38, 42 and 170). Also two procedural motions would have failed to obtain the two-thirds majority in each Category.

12. During its 98<sup>th</sup> meeting in February 2020, the Council decided to maintain the proposed amendment to the Statutes convinced that it would be in the long-term interest of biodiversity conservation if IUCN strengthened its convening role by introducing an increased majority for the adoption of motions which would contribute to achieving the broadest possible support, if not consensus, engaging all parties that represent a variety of views in discussions and negotiations, while the broadest possible support would also increase the legitimacy and implementation of the Resolutions and Recommendations concerned. If more effort was put into ensuring a good process of consultations and negotiations, there would be no reason to fear that a two-thirds majority could not be achieved to support innovative ideas or issues of local importance or of concern to minority groups.

13. In June 2021, following review of the comments and proposals made by IUCN Members during the online discussion ending on 3 December 2020, the Council decided to make a slight amendment to its proposal, in response to a comment made, to separate issues and completely split the original motion into three. No additional substantial revisions have been made to this version.

### **Entry into effect**

14. Unless decided otherwise by the Congress, the proposed amendments, if adopted, will come into effect at the end of the Congress.

**Proposed amendment to the IUCN Statutes regarding the majority required to adopt motions**

Amendment #	Existing provisions of the IUCN Statutes:	Proposed amendments (with track changes)	Revised version of the IUCN Statutes (all track changes 'accepted')
1.	[none]	<p>[New] <b>Article 31<i>bis</i> of the Statutes</b></p> <p><u>The adoption of motions referred to in Article 48<i>bis</i> of the Rules of Procedure shall require a majority of two-thirds of the votes cast in Category A and in Categories B and C combined.</u></p>	<p>[New] <b>Article 31<i>bis</i> of the Statutes</b></p> <p>The adoption of motions referred to in Article 48<i>bis</i> of the Rules of Procedure shall require a majority of two-thirds of the votes cast in Category A and in Categories B and C combined.</p>