

88e réunion du Bureau du Conseil de l'UICN

Par conférence téléphonique, 9 septembre 2020

DÉCISIONS

Le Bureau du Conseil de l'UICN,

Ayant examiné les recommandations du Comité d'organisation du Congrès (COC, 8e réunion du 1er septembre 2020) résultant de son examen de l'analyse et des recommandations du Secrétariat sur les options disponibles au cas où le Congrès mondial de la nature de l'UICN 2020 ne pourrait pas avoir lieu comme prévu, en janvier 2021, en raison de la pandémie de COVID-19,

Prenant note des résultats des consultations du Directeur général avec le pays hôte,

1. Décide de transmettre le rapport du COC au Conseil de l'UICN (Annexe) avec le soutien du Bureau à la recommandation du COC tendant à ce que le Conseil approuve l'option 5, telle que présentée dans le rapport du COC, ainsi que l'analyse et les recommandations du Secrétariat consistant en une approche à deux volets du Congrès par laquelle :
 - A. le Congrès est reporté à une date ultérieure en 2021, qui sera convenue d'un commun accord avec le pays hôte, et
 - B. certains points de décision inclus dans le Projet d'ordre du jour du Congrès 2020 seront soumis à un vote électronique des Membres de l'UICN au début de 2021 ;
2. Recommande au Conseil de l'UICN de :
 - A. **suivre** la recommandation du COC au paragraphe 1.B et décider que les questions suivantes seront soumises à un vote électronique des Membres de l'UICN au début de 2021 :
 - i. Programme et Plan financier de l'UICN 2021-2024
 - ii. Guide des cotisations 2022-2024
 - iii. Liste de rescision des Membres
 - iv. Nomination des auditeurs externes
 - v. États financiers 2016 à 2019
 - vi. Motions visant à modifier les Statuts et autres questions de gouvernance proposées par le Conseil de l'UICN
 - vii. Mandats des Commissions de l'UICN.
 - B. en ce qui concerne le point vi. du paragraphe 2.A de la présente décision (vi. Motions visant à modifier les Statuts et autres questions de gouvernance proposées par le Conseil), **demander** au Comité institutionnel et de gouvernance (CIG), après la clôture de la discussion en ligne, de soumettre ces motions, telles qu'amendées lors de la discussion en ligne ou accompagnées des amendements proposés, le cas échéant, à un vote électronique des Membres de l'UICN à l'exception de :
 - a. Motions méritant d'être débattues au niveau mondial lors du Congrès, qui continueront d'être discutées et votées lors de l'Assemblée des Membres, et
 - b. Motions ayant fait l'objet de telles discussions et propositions d'amendements divergentes ou étant si controversées qu'il n'est pas possible, de l'avis du CIG, de produire un texte consensuel à soumettre à une décision par vote

électronique avant le Congrès, et qui seront renvoyées à l'Assemblée des Membres pour débat plus approfondi et vote.¹

- C. **déterminer** quelles autres questions visées au paragraphe 2 de la recommandation du COC² devraient être soumises à un vote électronique des Membres de l'UICN.
 - D. **décider** qu'aucun autre report au-delà des nouvelles dates à déterminer conformément au paragraphe 1.A. de la présente décision ne sera considéré.
 - E. **demander** au Secrétariat de présenter au COC à temps pour examen par le Conseil lors de sa 101e réunion (novembre 2020) :
 - i. un ensemble de possibles critères permettant au Conseil de décider, au plus tard quatre mois avant les nouvelles dates, de la tenue ou non du Congrès aux nouvelles dates déterminées conformément au paragraphe 1.A. de la présente décision ; et
 - ii. son évaluation de la faisabilité et du coût de la préparation et de la tenue du Forum et de l'Exposition sous forme virtuelle, au cas où ils ne pourraient pas avoir lieu aux nouvelles dates déterminées conformément au paragraphe 1.A. de la présente décision et devraient être annulés, afin de permettre au Conseil de décider si cette option pourrait constituer un plan de secours en cas d'annulation éventuelle.
3. Demander au Secrétariat de guider le Conseil sur le processus et systèmes qui seraient utilisés si les élections avaient lieu par vote électronique avant le Congrès.
4. Suggère aux membres du Conseil d'écouter les voix et opinions des Membres de l'UICN sur la question de savoir s'il convient d'organiser les élections pendant l'Assemblée des Membres ou par vote électronique.

Demandes d'adhésion

Le Bureau du Conseil de l'UICN,

Répondant aux commentaires reçus des membres du Conseil lors du processus d'approbation par le Bureau des recommandations du Comité institutionnel et de gouvernance (CIG) concernant les demandes d'adhésion, par courrier électronique initié par le Président de l'UICN le 5 septembre 2020,

Décide de

¹ Cela correspond exactement au libellé du mandat du Groupe de travail sur les motions, conformément à l'article 62 *quinto* des Règles de procédure.

² Les aspects mentionnés au paragraphe 2 de la recommandation du COC concernent:

- i. Les motions que le Groupe de travail sur les motions ([voir sa 2e communication du 1er septembre 2020](#)) a renvoyé au Congrès pour débat plus approfondi et vote (soit parce qu'elles justifient un débat au niveau mondial pendant le Congrès, soit parce qu'elles sont si controversées qu'il n'aura pas été possible, lors de la discussion en ligne, de produire un texte consensuel à soumettre au vote électronique sur les motions) ;
- ii. Élection du Président, du Trésorier, des Conseillers régionaux et des Présidents des Commissions;
- iii. Rapports du Président / Conseil, du Directeur Général, du Trésorier, des Commissions et des Comités nationaux et régionaux

1. **suspendre** l'examen de la demande d'admission à l'UICN de S.P.E.C.I.E.S. - The Society for the Preservation of Endangered Carnivores and their International Ecological Study (États-Unis) jusqu'à ce que son organisation mère ait eu la possibilité de soumettre sa demande d'adhésion à l'UICN ;
2. **admettre** la demande d'admission à l'UICN de la New Mexico BioPark Society (États-Unis) à la lumière des nouvelles informations reçues lors de la réunion du Bureau ;
3. **reporter** à sa prochaine réunion l'examen de la demande d'admission à l'UICN de Lovacki savez Srbije (Association de chasse de Serbie) ;
4. **rejeter** la candidature du European Sustainable Use Group (Belgique) sur la base du fait que l'organisation se présente, à tort, comme faisant partie de l'UICN. Cela devra être résolu avant que l'organisation ne puisse présenter une nouvelle demande d'admission à l'avenir.

Prend note que le CIG a reporté l'examen de la demande du Center for Environmental Ethics and Law (États-Unis) à sa prochaine réunion.



8th Meeting of the Congress Preparatory Committee (CPC)
(1 September 2020)

Report

Participants:

CPC: Jennifer Mohamed-Katerere (Chair), Malik Amin Aslam Khan, Andrew Bignell, Mamadou Diallo, Hilde Eggermont, Francesco Gaeta (Host Country), Sixto Incháustegui, Ali Kaka, Kathy MacKinnon, John Robinson, Yann Wehring (Host Country), Nihal Welikala.

Regrets: Ana Tiraa (proxy given to Andrew Bignell)

Invited: President Xinsheng Zhang

Host Country observers: Beatrice Galin, Marc Strauss

Secretariat: Bruno Oberle (Director General), Luc Bas, Mylene Chichignoud, Mike Davis, Luc De Wever, Sandrine Friedli-Cela, Tea García-Huidobro, Pamela Grasemann, Enrique Lahmann, Marc Magaud, Sabrina Nick, Cyrie Sendashonga, Ricardo Tejada

Report

The Congress Preparatory Committee (CPC) had only one agenda item for its 8th meeting: the Congress scenarios presented by the Secretariat in view of the COVID-19 pandemic.

Options considered

The Committee considered the options analysed by the Secretariat ([Annex 1](#)) and weighed the pros and cons of each.

1. OPTION 1: Maintain Congress at dates set (07 to 15 January 2021)
2. OPTION 2: Postpone Congress entirely
3. OPTION 3: Nature on how the Congress is conducted is changed considerably
4. OPTION 4: Physical Congress is cancelled; Statutory decisions taken by e-vote
5. OPTION 5: A two-pronged approach to Congress (Secretariat's proposal)

The Committee agreed that it was important to take a decision soon to give planning security to Members and all Congress stakeholders and to avoid increasing the financial liability for IUCN.

Recognising that the COVID-19 pandemic continues to adversely impact on nations across the world and that there is uncertainty about its trajectory makes it more and more likely that a large number of Members, stakeholders and participants most likely would not be able to travel to Marseille in early 2021, the CPC concurred that maintaining the IUCN Congress at the currently set dates in January 2021 is no longer a viable option and that a virtual event was very difficult to implement with Members around the world (IUCN Members are distributed in 22 different time zones).

One Committee member was of the opinion that Option 4 was the preferable option given that the uncertainties around COVID-19 could be present for a long time and place Members, particularly from the Pacific islands where many are COVID-19 free, at increased risk. The rest of the Committee members concurred that under the current circumstances postponing is the best way forward, but rather than postponing the full event which could paralyse the Union, it was preferable to pursue *option 5: a two pronged approach to Congress*. This option foresees:

- The postponement of some aspects of Congress including parts of the Members Assembly, Forum, exhibition and Espace Générations Nature to a later date in 2021. This date should be identified in coordination with the Host Country, taking into account the international sequence with other biodiversity events like the CBD COP15, as well as the current contractual arrangements IUCN and the host country have related to the January 2021 dates.
- The holding of an electronic vote at the beginning of 2021 to address the statutory functions of Congress normally addressed in the Members' Assembly, that are necessary to enable IUCN to continue operating smoothly and other decisions are approved during a shorter Members' Assembly (2-3 days) held in conjunction with the Forum and Exhibition at the new Congress dates set (thus allowing the overall shortening of the Congress from 9 to 7-8 days which reduces the costs for IUCN, the Host Country and participants).
- The e-vote scheduled for 7-21 October 2020 on the motions referred to e-vote by the MWG is maintained with the additional question whether they can become effective immediately, by exception to Rule 62septimo.
- A series of virtual sessions that could be organized between January 2021 and some weeks prior to the Congress on topics linked to the Forum, to maintain momentum between now and the actual Congress, provided that extra funding can be secured to finance such sessions.
- That the summits are postponed to the new Congress dates would have to be confirmed with the summit organisers. Note: the One Planet Summit (OPS) is likely to be maintained in January 2021, but the OPS could kick-start a number of initiatives which could be further expanded at the Congress.

The CPC noted that the Host Country currently had not yet finalised a formal political position on the options presented and that while they had tentatively identified two potential dates for a postponed Congress, it would be important for France to align any postponement with the larger international agenda and specifically the CBD COP15 in order to guarantee maximum political impact and international participation at the Congress. France suggested that the date of a postponed Congress should only be chosen once that sequence has been clarified. The CPC understood that, but expressed a clear preference to choose a date towards the later part of 2021 rather than in the first half of 2021 to maximise the chances that the pandemic situation would have improved by then. The Host Country also expressed the view that only essential aspects of Congress should be dealt with electronically and that those items requiring discussion should be included in the physical event.

The CPC's conclusion was to recommend to Council to approve *option 5: a two pronged approach to Congress.*

Recommendation on which decisions to refer to an electronic vote

The CPC considered which matters normally addressed in the Members' Assembly. The Legal Advisor noted that Council could take this decision in accordance with Articles 48 of the Statutes. The CPC concurred that the current pandemic does represent such extraordinary circumstance. As per Article 94 of the Statutes and Regulation 94, part or all the decisions can be referred to an electronic vote (e-vote) for a decision. This e-vote would be preceded by an online discussion of the proposals to be voted on.

The Legal Adviser distinguished such e-vote from a virtual Assembly^[1]. However, as stated by the Legal Advisor, if all key decisions were referred to an electronic vote, the Assembly meeting would be considered as being replaced by an e-vote. In this case, a physical meeting taking place at a later stage would be considered, formally speaking, as an extraordinary session of the World Congress. Council can take this decision based on article 48 of the Statutes which, in exceptional circumstances, allows Council to take measures that by Statute are prerogatives of the Congress.

The Secretariat clarified that the process for an e-vote would take at least 16 weeks including an online discussion thus making an electronic vote for late January, or perhaps more likely in February 2021 possible. The original dates of Congress would not be able to be used for the e-vote because of the specific procedure laid out in Regulation 94. The technology and process to handle the e-votes exists already and can be used for this and it will be possible to organise an online discussion ahead of these electronic votes.

There were different opinions in the Committee about which Congress agenda items should be referred to an e-vote and which one to the physical Congress. Some members felt that it was important to conclude all Members' Assembly business as quickly as possible by referring all decisions to an e-vote, as a further postponement of statutory decisions was difficult to justify despite the extraordinary circumstances and expressed concern that the onsite participation might still be lower than usual in the 2nd half of 2021. Other members were of the opinion that only the absolutely critical decisions enabling IUCN to operate smoothly should be referred to an e-vote in early 2021, thus allowing IUCN Members to discuss remaining IUCN business in person and to ensure smooth transition in IUCN governance.

It was noted that the e-vote of 7-21 October 2020 on the motions referred to it by the MWG will be maintained as planned and was not affected by the decision on the Congress itself. An additional question would be asked to Members so that the motions could become effective immediately, by exception to Rule 62septimo.

CPC concluded to make the following set of recommendations regarding the Members' Assembly divided in three different categories:

i. Decisions for which CPC recommends that Council to refer to an e-vote at the beginning of 2021:

- a. IUCN 2021-2024 Programme and Financial Plan
- b. Membership Dues Guide
- c. Members' Rescission list
- d. Appointment of External Auditors
- e. Approval of the Financial Statements 2016 to 2019
- f. [The motions to amend the Statutes and other governance issues proposed by Council](#)
- g. Commission mandates

ii. Decisions or agenda items which CPC by consensus recommends Council to refer to the physical Assembly meeting:

- a. Motions on new and urgent topics (Rule 52)
- b. IUCN Medals and Awards
- c. Issues of strategic importance for the Union

^[1] A virtual meeting would imply an opening and closing session of the Member's Assembly, live debates on the different topics referred to in the adopted agenda and the establishment of minutes of the Assembly giving an account of the proceedings and debates (as per Rule 85).

The CPC noted that the Statutes clearly link the formal requirements for the submission of motions on new and urgent topics to the opening of the Member's Assembly¹ and that referring these to an electronic vote would require Council to develop an entirely new process that is not foreseen in the Statutes and not endorsed by IUCN Members.

For the IUCN Medals and Awards as well as honorary memberships, CPC highlighted that a physical meeting is much more conducive to highlight the ceremonial aspects of the matter.

The strategic discussions which are not an item for vote should also be maintained for the physical meeting. Further, it was noted that the GCC had recommended that questions related to the strategic review agreed to in the Management Response to the External Review of IUCN's Governance be addressed at Congress.

iii. Decisions for which CPC does not make a recommendation but leaves the discussion and decision to the full Council:

There were divergent views whether to refer the following items to the e-vote or to the physical Members' Assembly, with a slight majority leaning towards referral to e-vote but the conclusion of the CPC was that the decision should be taken by Council after its recommendations have been considered by the Bureau²:

- a) The 18 motions which the Motions Working Group ([see its 2nd update of 1 September 2020](#)) has referred to the Congress for continued debate and vote (either because they warrant debate at the global level during the Congress or because they are so controversial that it was not possible during the online discussion to produce a consensus text for submission to the electronic vote on motions);
- b) Elections for President, Treasurer, Regional Councillors and Commission Chairs;
- c) Reports from the President/Council, Director General, Treasurer, Commissions, and the National and Regional Committees.

For the 18 motions that have been referred to the Congress by the MWG, the CPC stated that the opinion of the Motions Working Group should be considered by Council to determine whether a second round of online discussions could lead to these motions being ready for referral to an e-vote, in particular the motions on which it was not possible to produce a consensus text during the online discussion of December 2019-March 2020 or on the contrary, if it is already clear that a face-to-face discussion is required.

For the elections, seven members of CPC were in favour of having the elections held by e-vote. The arguments in favour of the e-vote were:

- Elections via e-vote can happen in a democratic way as candidate pages have been and will remain available on the Congress website for several months, allowing Members also to engage with the candidates.

¹ As per Rule 53, new and urgent motions "shall be submitted from one week prior to the opening of the Congress until the end of the plenary sittings on the first day of the Members' Assembly".

² Extract from the summary of the 87th Bureau meeting, 24 July 2020: *Agenda Item 5: Process to discuss the different options of holding the Congress*

"The Chair of the Congress Preparatory Committee (CPC) requested clarification whether the analysis and recommendations of alternative options for holding the Congress fall within the ToR of the CPC. The President summarized the discussion of the Bureau by explaining that the CPC should not feel restricted by its ToR to study any and all aspects of the Congress and transmit its recommendations to Bureau which will discuss them thoroughly before forwarding its proposal(s) to Council."

- Opportunity for virtual candidate presentations and debates is feasible between now and the date of the e-elections. However, some members raised concern about the ability of all members to participate in such virtual presentations due to internet challenges.
- All Members will be able to cast their vote during a period of two weeks thus allowing all Members with voting rights to participate. IUCN has had successful experience in e-votes and the system is 100% reliable.
- Should the pandemic continue into 2021, participation at a physical event by Members from certain regions might be reduced and asking them to give a proxy to Members present is less democratic than enabling them to cast their vote electronically; secondly if the pandemic made a physical Congress impossible in 2021, an e-vote would be required anyway.
- It was not appropriate for Council to extend its term of office.

The arguments in favour of postponing the elections to the physical Assembly meeting, highlighted the following arguments:

- Elections require the opportunity for face-to-face interactions with Members, importantly not all members would have adequate access to internet to be able to participate in virtual presentations.
- Elections before Congress would mean a change in governance bodies before the Congress cycle is concluded resulting in modified composition of the Congress Preparatory Committee with members that do not have the history of the full process and also Council not completely familiar with the governance and statutory reforms posed by the 2016-2020 Council.
- The Statutes provide for Council to hold its term of office from one Congress to the next.

In relation to the reports, the CPC concluded that the decision is linked to the decision on the elections as the reports should be considered electronically if the elections happen through an e-vote and should be considered at the physical Assembly meeting if the elections take place then.

Recommendation on further postponements/no-go criteria

The CPC also noted that the two pronged approach to Congress still had an inherent level of risk as the future evolution of the pandemic is uncertain. The postponement in itself represents increased costs of CHF 100k for each additional month of postponement for staff plus extra costs for suppliers (not quantifiable at this stage). Council therefore should clearly establish that this postponement would not be reconsidered a third time and define a cut-off date, by when a decision would be taken on whether it would be viable to maintain the Congress to minimise the loss that IUCN could incur in case of cancellation following the postponement.

In case of such a cancellation, all remaining statutory business would have to be conducted via e-vote.

The CPC asked the Secretariat to study whether it would be feasible from an operational and financial standpoint to replace the physical meeting with a virtual Forum so that CPC and Council can determine whether such a fall-back option could be considered at the cut-off date. The Secretariat was asked to undertake this analysis and to refine the criteria to be used for a decision at the cut-off date and to report back to the Committee on these two matters. The Secretariat explained that the preparation of a virtual fall-back option would require substantive time and resources and such decision could therefore not wait until the beginning of 2021.

Further process for taking the decision

The CPC discussed the next steps for the decision-taking and a few members suggested that the CPC recommendation should go directly to the Council and not the Bureau. The Chair of CPC explained that she had raised the question in the Bureau on 24 July 2020 whether the Terms of Reference of the CPC included issues like postponement and alternative formats of Congress. The Bureau's advice was that the CPC should not feel restricted by its mandate to study any and all aspects of the Congress, but that it should make recommendations to the Bureau for further deliberation.³ Vice President John Robinson noted that the Bureau had not relinquished its role in discussing the recommendations of the CPC. The CPC acknowledged the role of the Bureau and asked the Chair to recommend to the Bureau to forward the CPC report and recommendation to Council for consideration during its 100th meeting on 14 September 2020. The CPC further acknowledged that it would be the President's prerogative to determine whether he would like to discuss the CPC recommendation at the Bureau prior to referring it to Council. In that case, the Bureau meeting would have to be convened ahead of the 100th Council meeting. The Legal Adviser clarified, that Council could decide on the matter, even if the Bureau meeting was not held.

Decision

The Congress Preparatory Committee (CPC),

Having examined the analysis and recommendations presented by the Secretariat on available options in case the IUCN World Conservation Congress 2020 could not be held in January 2021 as planned (Annex 1),

Taking into account the preliminary results of consultations with the Host Country, which has not taken any decision at this stage, and

Mindful of advice from the Bureau of the IUCN Council (87th meeting) that it would welcome the recommendations of the CPC on alternative options for holding the Congress,

Recommends the Bureau to forward the following recommendations of the CPC to the IUCN Council in time for consideration and decision at its 100th meeting on 14 September 2020:

1. The IUCN Council, based on Article 48 of the Statutes, in light of the exceptional circumstance that as a result of the pandemic caused by Covid-19, it cannot be guaranteed that the all IUCN Members and Congress participants will be able to travel to Marseille in January 2021 and meet in all safety, adopts a "two pronged approach to Congress" by which:
 - A. the Congress, and more specifically, agreed aspects of the Members Assembly, the Forum, and the exhibition, is postponed to a later date in 2021, to be mutually agreed with the Host Country taking into account the calendar of international biodiversity / environmental meetings, particularly the CBD COP15, and the importance of ensuring a wide local, national and international mobilisation at a time it can be considered possible and safe for all IUCN Members and partners to travel to Marseille, and that such date should be identified as soon as practically possible in the weeks following this decision, and

³ Extract from the summary of the 87th Bureau meeting, 24 July 2020: *Agenda Item 5: Process to discuss the different options of holding the Congress*

"The Chair of the Congress Preparatory Committee (CPC) requested clarification whether the analysis and recommendations of alternative options for holding the Congress fall within the ToR of the CPC. The President summarized the discussion of the Bureau by explaining that the CPC should not feel restricted by its ToR to study any and all aspects of the Congress and transmit its recommendations to Bureau which will discuss them thoroughly before forwarding its proposal(s) to Council."

- B. the following items included for decision in the Draft Congress Agenda are referred to an electronic vote of IUCN Members to be held in January/ February 2021 in accordance with Article 94 of the Statutes and Article 94 of the Regulations, in order to ensure the smooth functioning of IUCN, while all remaining matters are maintained on the draft Agenda of the Members' Assembly as postponed to the new dates determined in accordance with paragraph 1 (A) of the present decision:
- i. IUCN 2021-2024 Programme and Financial Plan
 - ii. Dues Guide 2022-24
 - iii. Members' Rescission list
 - iv. Appointment of External Auditors
 - v. Financial Statements 2016 to 2019
 - vi. [The motions to amend the Statutes and other governance issues proposed by Council](#)
 - vii. Mandates of the IUCN Commissions.
- C. As a result of submitting a number of decision items to the electronic vote as per paragraph 1 (B) of the present decision, the Council decides to reduce the length of the (physical) Members' Assembly session to xxx days and modifies the draft Congress Agenda accordingly.
- D. a series of virtual sessions should be organised between January 2021 and some weeks prior to the Congress on topics linked to the Forum in order to maintain the momentum amongst Members and other stakeholders, provided additional funding from sponsors and donors can be secured to cover the costs for organising and holding these virtual sessions.
- E. Links shall be created and maintained with the One Planet Summit in case it is decided by the Host Country to hold that Summit prior to the Congress thus allowing the Congress to build and enhance the momentum for biodiversity launched at that Summit.
2. The IUCN Council is invited to consider whether any of the following matters should be added to the list in paragraph 1 (B) for submission to the electronic vote or whether they should remain on the draft Agenda of the Members' Assembly as postponed to the new dates determined in accordance with paragraph 1 (A) of the present decision:
- i. The motions which the Motions Working Group ([see its 2nd update of 1 September 2020](#)) has referred to the Congress for continued debate and vote (either because they warrant debate at the global level during the Congress or because they are so controversial that it was not possible during the online discussion to produce a consensus text for submission to the electronic vote on motions);
 - ii. Elections for President, Treasurer, Regional Councillors and Commission Chairs;
 - iii. Reports from the President/Council, Director General, Treasurer, Commissions, and the National and Regional Committees.
3. The IUCN Council decides that no further postponement beyond the new dates to be determined in accordance with paragraph 1 (A) shall be considered and requests the Secretariat to present to CPC in time for Council's consideration at its 101st meeting:
- A. a set of possible criteria enabling Council to decide at the latest four months prior to the new dates whether or not to hold the Congress on the new dates determined in accordance with paragraph 1 (A) of the present decision; and
 - B. its assessment of the feasibility and cost of preparing and holding the Forum and Exhibition by virtual means in case they cannot be held on the new dates determined in accordance with paragraph 1 (A) of the present decision and have to be cancelled to allow Council to decide on whether this option should be a back-up plan for a possible cancellation necessary under 3 (A).



Annex 1
IUCN World Conservation Congress 2020
Congress scenarios and Secretariat recommendation

29 August 2020

Background

In light of the ongoing and deteriorating COVID-19 pandemic, it is necessary to reconsider options for the IUCN World Conservation Congress 2020. The Secretariat has analysed the feasibility, advantages and disadvantages/risks of all options in this paper and makes a recommendation to CPC and Council on which option to pursue.

It must be noted that every option presented has a number of risks and uncertainties that are very difficult to assess and quantify with the uncertainty on the likely evolution of the pandemic and resulting impacts on the global economy. All options will result in a financial deficit for IUCN but financial impacts are not the only criteria to take into account when taking a decision on Congress, the highest decision-body of the Union.

There is increasing pressure for a signal to be given with regards to the Congress. In order to limit the financial liabilities for IUCN but also for the Host Country and participants, a decision on the Congress needs to be taken by Council as soon as possible. The French Government expects this decision to be taken by mid-September 2020.

It is important to note that the CBD will postpone its COP15 and is seemingly considering September /October 2020, having recently announced that its main preparatory meetings, the SBSTTA and SBI, will take place physically in the first quarter of 2021, instead of November 2020. They are currently considering options for carrying out virtual discussions on the dates that had been set for November.

Process

The following process is being followed for coming to a decision:

Deadline	Action
21 August 2020	First draft of Secretariat recommendation paper
24-25 August 2020	DG Meetings in Paris with M. Strauss and organisers of One Planet Summit
26 August	2 nd draft of the Secretariat recommendation paper to be shared with CPC Chair and IUCN President as well as Host Country
28 August	Call between President, CPC Chair, DG, Congress Director and Congress Manager
29 August	CPC Decision paper and Secretariat recommendation paper circulated to CPC
1 September 2020, 12 :00 – 14 :00	CPC considers the options presented in this paper and makes initial recommendation to Council or Bureau
07 September 2020	Host Country consults with the French Presidency (Elysée) and decision-makers at local level on the preferred option
08 September 2020	French Minister of Environment Barbara Pompili and IUCN Director General discuss options
10 September 2020	Bureau or CPC considers final options and makes final recommendation to Council

Commented [EL1]: To be decided by the President

Commented [EL2]: To be decided by the President

Annex 1
IUCN World Conservation Congress 2020
Congress scenarios and Secretariat recommendation

14 September 2020	Council reviews recommendation and takes a decision
16 September 2020	IUCN and Host Country Communications team prepare official announcement and special announcement to stakeholders
15 September	Minister informs Mayor of Marseille as well as President of Region/Department of the joint IUCN-MTE decision
15 or 16 September 2020 (TBC)	Local Steering Committee meeting (COPIL) in Marseille: Deputy Environment Minister for Biodiversity Bérangère Abba and IUCN Director General announce decision to the local Steering Committee
COPIL date, time	Announcement to IUCN staff and Congress stakeholders (exhibitors, sponsors, session organisers, etc.)
COPIL date,time+2h	Official announcement of decision

Commented [PG3]: To adjust as per date of local steering committee

Commented [PG4]: To be confirmed with MTE whether to keep this step

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Annex 1
IUCN World Conservation Congress 2020
Congress scenarios and Secretariat recommendation

Options

Option	Description	Pros	Cons/risks	Considerations
1. Congress is maintained for January 2021	Congress will be held as currently planned: a mainly physical event with remote-access provided to key sessions (Congress Opening, Forum high-level sessions, MA opening, etc.) and fully virtual Speaker pitches	<p>Pros:</p> <p>No need to change plans for Congress or renegotiate hotels and accommodation.</p> <p>No new costs related to deferral or cancellation</p> <p>Maintaining the momentum "2021 year of biodiversity".</p> <p>Ability to maintain most events of the Congress, including options for remote access</p> <p>Secretariat enabled to focus attention again on Programme delivery/project implementation soon in 2021</p>	<p>Cons:</p> <p>Standard logistical challenges; need to prepare/adjust sanitary measures in accordance with local requirements as per the evolving pandemic situation</p> <p>Increased costs of the Congress due to health and security measures to be put in place</p> <p>Congress would take place a very long time before the CBD COP thus making it difficult to influence the decisions at the CBD COP</p> <p>Health and security risks for staff and participants remain high, even with IUCN taking appropriate measures to mitigate such risks.</p> <p>Incurring expenses that cannot be reimbursed (e.g. tickets/staff hotels, sponsored delegates, international speakers who will not be able to travel in the end);</p> <p>Risks associated with persistence of the pandemic:</p> <p>Lower participation due to widespread travel restrictions leads to:</p> <ul style="list-style-type: none"> - skewed geographical representation (very European Congress) <i>To mitigate this risk, Members unable to attend may be encouraged to give a proxy to Members present at</i> 	<p>In this option, it would be necessary to agree with the French Govt on criteria, and a date, for a final go/no-go decision (i.e. to decide when, and by what criteria, would a decision be triggered on the cancellation of the Congress).</p> <p>Given the risks of this Option, the per capita costs of the Congress could be very high (potentially disproportional) compared to the actual number of participants (as a</p>

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			<p><i>Congress, while Members also have the possibility to request that decisions be confirmed by e-vote under the conditions provided in Article 36 of the Statutes.</i></p> <ul style="list-style-type: none"> - Cancellation of sessions because session organiser cannot travel leading to empty rooms - Low attendance by school children from France (EGN) - Withdrawal of high-level speakers and guests as well as exhibitors. Note: Withdrawal already announced by UNDP, SFI, Rare. - Low attendance by international audiences leads to lower registration income, and empty rooms - Significant financial loss as a result of low attendance, cancellation by exhibitors and sunk costs. Cancellation closer to the time of the event could result in losses for IUCN up to CHF 5m. <p>Reputational risk to IUCN and the Host country by maintaining the Congress in January 2021 despite the current pandemic situation.</p> <p>The cancellation of Congress closer to the date (due to a prohibition by national authorities) remains a high risk and would result in higher financial costs than those incurred already, and would also carry political and reputational costs.</p> <p>Liability for IUCN if the health and security of staff and participants cannot be guaranteed or the Congress becomes a source of increased infection. This could lead to bad press, and a risk of closure of Congress which would leave IUCN with</p>	<p>result of empty rooms, empty exhibit hall, food waste, etc.) and there are a number of reputational, political and financial costs associated with this option.</p>

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Option	Description	Pros	Cons/risks	Considerations
			<p>statutory obligations not respected and strong dissatisfaction of participants.</p> <p>Logistical difficulties could augment further, e.g.:</p> <ul style="list-style-type: none"> - delays during the set-up period in case of contamination with COVID-19 even off site - Delivery of materials may be problematic if production in certain countries has to stop or shipping is prohibited (i.e. voting machines for Members' Assembly). - IUCN staff not able or not willing to travel to the Congress, causing last minute replacement problems. - Quarantine is imposed by some countries before staff or participants can return from France → increased costs for IUCN to cover staff and Sponsored Delegates for staying extra time in France. 	
2. Congress is postponed	The Congress in full is postponed to a later date in 2021 (most likely between May and September)	<p>Pros:</p> <p>Changes to project are moderate: mostly maintaining current plan with return to original project for outside areas</p> <p>Maintaining the "2021 year of biodiversity" momentum</p>	<p>Cons:</p> <p><i>Vacuum or delay in the governance decision process paralyzes the organisation.</i> Statutory requirements would not be met and 2021 operations would be greatly hindered, especially if a later date is chosen (in particular for decisions on IUCN 2021-2024 Programme and Financial Plan; Members' Rescission list; Appointment of External Auditors; Membership Dues Guide 2022-24 and on the Financial Statements 2016 to 2019); (Note: Option 5 takes this into account).</p> <p><i>Financial and contractual issues: There would be loss of certain expenses incurred</i> (deposits for accommodation, non-reusable</p>	This option would lead to a shortened preparation cycle for the 2024 Congress and a shorter term of office for the 2021-24 Council unless the cycle is modified and the

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Option	Description	Pros	Cons/risks	Considerations
		<p>Potential additional participants from tourists in addition to locals</p> <p>If pandemic situation improves by then:</p> <ul style="list-style-type: none"> - More representative global participation --> higher registration fee income - Fewer cancellations by exhibitors <p>Choosing a later date could lower the risk of a definitive cancellation</p>	<p>services of contract holders). Renegotiation and amendments of all contracts related to Congress organization would also be needed.</p> <p>Increase in costs due to the further postponement of Congress as, among others, staff recruited (Congress Team) will need to remain engaged without any certainty that the costs will be recovered or that the Congress will go ahead. Postponement adds costs of CHF 100k a month. Therefore the maximum loss that IUCN could incur would be CHF 5m + 100k for each additional month of postponement + costs extra for suppliers (not quantifiable at this stage).</p> <p>Loss of momentum among stakeholders – which could be addressed by organizing a series of virtual sessions prior to Congress</p> <p>Relevance: The content of the Forum would need to be revisited and updated given that the original Call for Proposals went out mid-2019. It would not be possible to do another Call for Proposals.</p> <p>Risks:</p> <p>Potential costs from renegotiation of all contracts and agreements. Indemnification of the venue implies costs for the Host Country.</p>	<p>next Congress held in 2025 or elections are done by e-vote in January as could be decided by Council under the proposal made in option 5.</p> <p>In this option, it would be necessary to agree with the French Govt on criteria, and a date, for a final go/no-go decision (i.e. to decide when, and by what, would a decision be triggered on the cancellation of the Congress).</p> <p>In this option, the risk of ultimate cancellation remains. If</p>

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Option	Description	Pros	Cons/risks	Considerations
			<p>Hotel rooms are not available or charge higher rates at new dates → increased costs</p> <p>Suppliers/hotels may go bankrupt before the new date → increased costs</p> <p>Selected Forum sessions and/or motions may no longer be relevant but without enough time to re-organize a call for proposals/submissions</p> <p>Staff burn-out (staff involved in Congress preparation will have been working in stress mode for two years) and delays in project/Programme implementation would increase as long as staff remain focused on Congress</p>	<p>cancellation is necessary even after a second postponement, the financial losses would be even higher depending on the timing of the decision on cancellation. The reputational and political costs would also be high.</p>
3. Nature of the Congress nature is changed considerably	<p>Congress is changed to an entirely new format requiring several months of re-planning and re-organization (date would have to be moved to second half of 2021);</p> <p>Possible options: - fully virtual event requiring rethinking</p>	<p>Pros</p> <p>No risks beyond the costs incurred which would only be partially offset by lower travel costs (i.e. if decision is to virtualize most parts of the Congress)</p> <p>Viable option independently of the evolution of the pandemic</p>	<p>Cons:</p> <p>Timing issues: Up to a year will be needed to redesign the new format and identify partners/staff with skills to deliver this as IUCN does not have in-house expertise on virtual events and related IT requirements at this stage. (Design phase for new format would take several months before a new concept could be validated by Council).</p> <p>In turn, delaying the governance decision process would generate an operational vacuum that would paralyze the organisation (in particular for decisions on IUCN 2021-2024 Programme and Financial Plan; Members' Rescission list;</p>	<p>This possibility is not expressly foreseen in the Statutes but would be acceptable under the current circumstances.</p>

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Option	Description	Pros	Cons/risks	Considerations
	<p>of length and complexity (Forum, Members' Assembly, Exhibition, EGN)</p> <p>- Fully virtual Forum with a 1-2 days virtual Members' Assembly; the EGN and exhibition could take place as physical events</p>	<p>Could be an opportunity to try new creative format that could shape the future of IUCN Congress for 2024 and beyond</p> <p>Builds IUCN's reputation as a more modern institution and addresses criticism regarding environmental impact of such a large event (mainly travel).</p>	<p>Appointment of External Auditors; Membership Dues Guide 2022-24 and on the Financial Statements 2016 to 2019). (Note: option 5 takes this into account).</p> <p>Financial and contractual issues: This option would mean the total loss of all expenses incurred until now without any concrete results nor any possibility of recovery. Estimated cost until mid Sep 2020: CHF 3-3.5m for IUCN. It would also mean increased expenditures linked to staffing costs of CHF 100k per month for the additional time needed to plan and roll out the virtual Congress, plus the technological/consultancy costs to deliver it. There would also be a need for renegotiation, amendments or termination of contracts related to Congress organization</p> <p>Political issues: option least favoured by the Host Country. This option would affect Ministry's and IUCN's political relations with Marseille partners, especially local authorities. The scope of the Hosting Agreement and France's role in the Congress would need to be redefined.</p> <p>Unnecessary mobilisation of stakeholders in France.</p> <p>Impact issues: There is little research/evidence on the benefits of virtual exhibitions at this stage. It may prove difficult or even impossible to maintain the Exhibition and Espace Génération Nature (EGN) in virtual format, and the interest in mobilizing civil society in France around biodiversity issues could be greatly reduced.</p>	<p>It may therefore be advisable to ask prior confirmation of IUCN Members through an e-vote.</p>

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Option	Description	Pros	Cons/risks	Considerations
			<p>Decision could not be reversed even if situation of pandemic improves</p> <p>Risks:</p> <p>Low attendance/more passive participation in a purely online event, particularly in the Members' Assembly (will need to operate in 22 different time zones). Most probably decision-making/voting will not be possible in real-time</p> <p>Networking at a purely virtual event is very difficult</p> <p>Financial income for IUCN likely severely reduced (significantly lower income from registration and exhibition as fees would have to be lowered). A 50% decline in income would be CHF 3.5m.</p> <p>Might deter future candidate countries from submitting a proposal to host the IUCN World Conservation Congress</p> <p>Staff burn-out (staff involved in Congress preparation will have been working in stress mode for two years) and delays in project/Programme implementation as long as staff remain focused on Congress</p> <p>If the new model includes holding part of the Congress physically, the same risks as in option 2 apply for that segment</p>	

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Option	Description	Pros	Cons/risks	Considerations
4. Physical Congress is cancelled and all statutory decisions are taken by e-vote	<p>The ordinary session of the World Congress, including the World conservation Forum and the Members' Assembly would be cancelled.</p> <p>Forum, Exhibition, Espace Génération Nature are not replaced;</p> <p>The Members' Assembly is replaced by an e-vote on all the Members' Assembly decisions at beginning of 2021</p>	<p>Pros</p> <p>Additional financial losses, although significant, can be contained prior to incurring more expenditures/ commitments</p> <p>Health and security for Members, staff and participant is guaranteed</p> <p>Time can be used to redesign 2024 Congress in a new format</p>	<p>Cons:</p> <p>The "2021 year of biodiversity" momentum is lost.</p> <p>Key moment for gathering the Union is lost (Congress is a key milestone for the entire Membership)</p> <p>Major financial losses for IUCN (all expenditures incurred until now; loss of all income with exception of IUCN own contribution and host country contribution for incurred expenditures (so far statutory translation and CPC meeting). Estimated deficit if Congress cancelled mid-September 2020 is CHF 3-3.5million.</p> <p>Termination of almost all contracts related to Congress organisation</p> <p>Financial losses for Host Country</p> <p>Risks:</p> <p>Reputational risk</p> <p>Might deter future candidate countries from submitting a proposal to host the IUCN World Conservation Congress</p>	
5. A two-pronged approach to Congress (Secretariat's	<p>Forum, Exhibition, EGN postponed to a date between May and September in currently envisaged format</p>	<p>Pros</p> <p>Same as for option 2 plus an e-vote in early 2021 on those issues of the Members' Assembly that</p>	<p>Cons:</p> <p>Loss of certain expenses incurred (deposits for accommodation, non-reusable services of contract holders)</p>	<p>As per Option 2, the risk of ultimate cancellation remains in this option too. If cancellation is</p>

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Option	Description	Pros	Cons/risks	Considerations
recommendation)	<p>The outside areas will be adjusted to revert to the previous June model;</p> <p>Some if not all decisions of the Members' Assembly are taken via e-vote at the beginning of 2021 and a shorter Assembly is held at the new Congress dates to approve the other decisions</p> <p>A series of virtual sessions in the preparation phase to maintain momentum</p>	<p>Council decides will enable IUCN to minimize the risk that a vacuum or delay in the governance decision process paralyzes the organization.</p> <p>The e-vote in early 2021 might allows shortening of Congress days to 7 (if elections and most decisions done by e-vote) or 8 thus reducing costs for IUCN, Host Country and participants</p>	<p>Renegotiation and amendments of all contracts related to Congress organization</p> <p>Increase in costs due to the further postponement of Congress as, among others, staff recruited will need to remain engaged without any certainty that the costs will be recovered or that the Congress will go ahead. Every month of postponement adds costs of CHF 100k. Therefore the maximum loss that IUCN could incur would be CHF 5m + 100k for each additional month of postponement + costs extra for suppliers (not quantifiable at this stage).</p> <p>Risks:</p> <p>Potential costs from renegotiation of all contracts and agreements</p> <p>Indemnification of venue (cost for Host Country)</p> <p>Hotel rooms are not available or charge higher rates at new dates → increased costs</p> <p>Suppliers/hotels may go bankrupt before the new date → increased costs</p> <p>Selected Forum sessions and/or motions may no longer be relevant but without enough time to re-organize a call for proposals/submissions</p> <p>Staff burn-out (staff involved in Congress preparation will have been working in stress mode for two years) and delays in</p>	<p>necessary even after a second postponement, the financial losses would be even higher depending on the timing of the decision on cancellation. The reputational and political costs would also be high. In addition, a second round of e-votes would have to take place, if only part of the Member's Assembly's decision are taken via e-vote in January.</p>

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Option	Description	Pros	Cons/risks	Considerations
			project/Programme implementation as long as staff remain focused on Congress	

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Secretariat's conclusions and recommendation – Option 5: A two-pronged approach to Congress

Option 1: In the Secretariat's opinion, maintaining the Congress in January 2021 likely means holding a mostly European Congress with minimal impact, likely financial losses, possible health risks for staff and participants, and potentially high political costs to IUCN. This Option is therefore not politically viable.

Option 2: While postponing the Congress is possible, it bears the risk of losing momentum and paralysing the organisation due to the vacuum or delay in the governance decision process. Postponement by itself, without additional measures, is therefore not an option.

Option 3: Radically changing the nature of the Congress will require several months of re-planning and re-organization before a decision on the format could be taken with extra costs and a strongly reduced income while requiring postponing the date. In addition, the Option would have to be organised and financed without the Host Country support and is therefore not desirable.

Option 4: Cancelling the Congress and complying only with statutory requirements would provide certainty with regards to the financial and political implications but would create major financial losses without any positive impacts that were meant to be sought with Congress making this option not viable.

Option 5: The Secretariat proposes Option 5 as the preferable option from the table above: **a two-pronged approach to Congress** which mitigates some of the risks of a sheer postponement. A decision on this option may be announced with or without a new date, as this decision could be taken in two steps whereby Council and the French authorities define the preferred date in a second step, before the end of September 2020.

This **two-pronged approach to Congress** could be as follows:

1. Forum, Exhibition and Espace Génération Nature are postponed to a later date (between May and September 2021) but maintained in their currently planned format; i.e. the changes already applied to the Forum (virtual speaker pitches, remote access for major sessions) will be maintained; the content of the Forum sessions will need to be updated and adjusted to make sure they continue to be relevant; it would not be possible to do another Call for Proposals.
2. It would be possible to use the outside areas in Parc Chanot and revert to the previous June model;
3. The format of the Members' Assembly is adjusted as follows:
Some of the decisions of the Members' Assembly are approved via e-vote at the beginning of 2021 and other decisions are approved during a shorter Members' Assembly (2-3days) held in conjunction with the Forum and Exhibition at the new Congress dates set (thus allowing to shorten the overall length of the Congress from 9 to 7/8 days which reduces the costs for IUCN, the Host Country and participants). The e-vote of 7-21 October 2020 on the motions referred to e-vote by the MWG will be maintained with the additional question whether they can become effective immediately, by exception to Rule 62septimo.

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The Secretariat recommends that, at minimum, the following decisions are approved via e-vote¹ at the beginning of 2021:

- IUCN 2021-2024 Programme and Financial Plan
- Dues Guide 2022-24
- Members' Rescission list
- Appointment of External Auditors
- Approval of the Financial Statements 2016 to 2019

In line with the above proposal, Council will have to determine which of the remaining decisions listed below could also be taken via e-vote at beginning of 2021 and which should be discussed during a physical Assembly meeting:

- Motions that the MWG has referred to discussion in Congress, plus the Council proposed motions on statutory reform (Rule 45bis (c))
- Motions on new and urgent topics (Rule 52)
- Elections for President, Treasurer, Regional Councillors and Commission Chairs (Note: in case of an e-vote the "online discussion" would mean online "live" candidate presentations and/or debates)
- Commission mandates
- IUCN Medals and Awards

In addition, the reports from President, Director General, Treasurer, Commissions, and the National and Regional Committees, could either be considered in electronic format at the beginning of 2021, or be presented during a physical Assembly meeting. The issues of strategic importance would be discussed at the physical Assembly, including wider issues regarding the state of the Union. *Note:* Should all decisions be treated at the beginning of 2021, and should it be necessary to subsequently cancel the Congress (i.e. if the pandemic does not improve), the statutory business would already be dealt with, without the need to have a second round of e-votes.

4. In order to maintain momentum between now and the actual Congress, a series of virtual sessions could be organized between January 2021 and some weeks prior to the Congress on topics linked to the Forum. Important: extra funding would be needed to organise/stage these virtual sessions.
5. Summits: to be confirmed with summit organizers whether the summits could/should be postponed to the new Congress dates or held separately i.e. as virtual events leading up to Congress. Note: the One Planet Summit is likely to be maintained in January but the OPS could kick-start a number of initiatives which could be further expanded at the Congress.

The Secretariat sees **option 5** as the most viable, allowing to hold a truly global Congress while not paralyzing the organisation. However, it must be noted that it still has inherent risks that cannot be discarded at this stage given the uncertainties of the pandemic and related evolution of the global economy. The extra costs linked to the postponement and the virtual sessions held prior to Congress would hopefully be balanced by extra income due to more participation and exhibitors but there is no guarantee for this and the organisation needs to accept the inherent financial risk when deciding this option.

¹ **Note:** "e-vote" in this document means: an electronic ballot of the IUCN Members preceded by online discussion of the proposals put to the e-vote in accordance with Regulation 94. In the case of elections held by e-vote, the online discussion would mean online "live" candidate presentations and/or debates.

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Given the uncertainties, the Secretariat also recommends that Council agrees with the French Government on clear criteria and a date at which to decide whether maintaining the Congress is or not viable so that in case of persistence/deterioration of the pandemic, a go/no-go decision can be taken quickly. A third postponement should not be considered. To support this go/no-go decision, the Secretariat would carry out an assessment, preferably no less than 4 months prior to the new Congress dates (before financial liabilities start to increase) reviewing the following to determine whether maintaining the Congress is viable using criteria such as: 1) Is France or Marseille on the list of countries and areas, which Switzerland has declared to be with high infection risk; 2) Is Switzerland on the list of countries and areas declared to be with a high risk of infection by France; 3) Are more than 25% of registered participants residents of countries which are on France's list or which have declared France as a risk country. These criteria will need to be further discussed and confirmed.

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