Proposed amendments to the IUCN Statutes, Rules of Procedure of the IUCN World Conservation Congress and the IUCN Regulations: Modification of the term “Regional Councillor”

Action Requested: The World Conservation Congress is invited to CONSIDER the proposed amendments to the IUCN Statutes, the Rules of Procedure of the World Conservation Congress and the Regulations with regard to the modification of the term “Regional Councillor” submitted by the Council under, respectively, Article 105 and Article 29 of the IUCN Statutes.

DRAFT MOTION

The IUCN World Conservation Congress,

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

[...]

EXPLANATORY MEMORANDUM

Background

1. According to Article 62 of the IUCN Statutes: “Members of the Council shall serve IUCN in their personal capacities and not as representatives of their respective States or organisations”. In other words, Council members’ primary role is to act independently in the best interest of the Union as a whole.

2. Within the above parameters, Regional Councillors engage with IUCN Members as well as National and Regional Committees, in the first place those from their own Region or sub-region, bringing to Council’s attention the interests, priorities and needs broadly shared by the IUCN membership in the regions. It also works the other way around, as Council members have a duty to explain to the IUCN membership the decisions of Council and their rationale.

3. This dual – global and regional – role of the Regional Councillors has been clearly articulated in the Council Handbook, Code of Conduct for IUCN Councillors and in the document Election, Role, Function and Qualifications Required.

4. However, this dual role has led to some misperceptions both within Council and the wider IUCN membership as to what the role of Council members is or should be. In that regard, the term “Regional Councillor” may have contributed to the misperception that Regional Councillors, who are nominated by Members of their region but elected by the global membership of IUCN, have mainly regional responsibilities.
The IUCN Council’s proposal to the 2020 Congress

5. For this reason, the IUCN Council proposes an amendment to Article 38 of the IUCN Statutes to replace the term “Regional Councillor” by “Councillors elected from the regions”. (Council decision C/98/8, 98th Meeting of the IUCN Council, February 2020)

6. The issue and a suggested solution were presented to all Regional Conservation Forums and online in 2019, and did not meet with objections from IUCN Members.

7. If adopted, it will require consequential amendments to an impressive number of provisions in the Statutes, the Rules of Procedure of the World Conservation Congress, and the Regulations as shown in Annex 1.

8. In addition to the amendment shown in Annex 1, if the motion concerning an elected Indigenous Councillor position is also adopted in the form as proposed by the IUCN Council, Article 38 of the Statutes will also be amended to list the Indigenous Councillor as point ii) (the positions of Councillor from the State in which IUCN has its seat and that of “one additional appointed Councillor” becoming points iii) and iv) respectively).

9. In addition to the amendment shown in Annex 1, if the motion concerning the Election of Regional Councillors resident in dependent territories is also adopted in the form as proposed by the IUCN Council, Article 40 of the Statutes will be also amended to refer to the exception regarding “Councillors elected from the Regions” from the same State resident in dependent territories of her/his State.

10. The IUCN Council also decided to recommend that the next Council 2020–2024 update the Council Handbook on this and other aspects of the Councillors’ roles in line with the Terms of Reference for all elected positions (the Election, Role, Function and Qualifications Required), approved by Council in July 2019 for the purpose of attaching them to the Call for nominations.

Entry into effect

11. If the amendments to the Statutes, Rules and Regulations are adopted during the 2020 Congress, they will become effective at the close of the 2020 Congress, i.e. after the Congress on 19 June 2020, unless the Congress decides otherwise.
Proposed amendments to the IUCN Statutes, the Rules of Procedure of the IUCN World Conservation Congress and the IUCN Regulations regarding modifying the term “Regional Councillor”

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<td>Part III – Members Rights and Obligations of Members Article 12 of the IUCN Statutes […] (b) Members in Categories A, B and C shall also have the right: […] (iii) to nominate to the World Congress candidates for election as Regional Councillors; […]</td>
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The Regional Councillors shall be elected by the World Congress in accordance with Article 39 and the Regulations.

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The Councillors elected from the Regions shall be elected by the World Congress in accordance with Article 39 and the Regulations.

### Part VI – The Council

#### Composition

**Article 38 of the IUCN Statutes**

The members of the Council are:

- (a) the President;
- (b) the Treasurer;
- (c) the Chairs of the Commissions;
- (d) the Regional Councillors;
- (e) a Councillor from the State in which IUCN has its seat, appointed by the Council, provided that one from that State has not been elected Regional Councillor; and
- (f) one additional appointed Councillor, chosen by the Council on the basis of appropriate qualifications, interests and skills.

**Article 38 of the IUCN Statutes**

The members of the Council are:

- (a) the President;
- (b) the Treasurer;
- (c) the Chairs of the Commissions;
- (d) the other Regional Councillors as follows:
  - (i) Councillors elected from theRegions;
  - (ii) a Councillor from the State in which IUCN has its seat, appointed by the Council, provided that one from that State has not been elected Regional Councillor from the concerned Region; and
  - (iii) one additional appointed Councillor, chosen by the Council on the basis of appropriate qualifications, interests and skills.
- (e) a Councillor from the State in which IUCN has its seat, appointed by the Council, provided that one from that State has not been elected Councillor from the concerned Region; and
- (f) one additional appointed Councillor, chosen by the Council on the basis of appropriate qualifications, interests and skills.

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  - ii) a Councillor from the State in which IUCN has its seat, appointed by the Council, provided that one from that State has not been elected Councillor from the concerned Region; and
  - iii) one additional appointed Councillor, chosen by the Council on the basis of appropriate qualifications, interests and skills.
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<td>There shall be a total of twenty-eight Regional Councillors. The number of elected Councillors for each Region shall be as follows: four (4) for Africa; four (4) for Meso and South America; three (3) for North America and the Caribbean; five (5) for South and East Asia; three (3) for West Asia; three (3) for Oceania; three (3) from West Europe, and three (3) from East Europe, North and Central Asia.</td>
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<td>The terms of office of the President, Treasurer, Regional Councillors and Chairs of Commissions shall extend from the close of the ordinary session of the World Congress at which they are elected, until the close of the next ordinary session of the World Congress. The appointed Councillor shall serve for the remainder of the term for which the other Councillors are elected.</td>
<td>The terms of office of the President, Treasurer, Regional Councillors elected from the Regions and Chairs of Commissions shall extend from the close of the ordinary session of the World Congress at which they are elected, until the close of the next ordinary session of the World Congress. The appointed Councillor shall serve for the remainder of the term for which the other Councillors are elected.</td>
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Part VII – The National and Regional Committees and Regional Fora

Article 72 of the IUCN Statutes

Regional Councillors and other members of the Council resident in a State or Region where such Committees and Regional Fora have been established, shall be invited to participate in the meetings and activities of the corresponding National and Regional Committees and Regional Fora. Members of the Commissions resident in such State or Region, may be invited to participate in meetings and activities of the National and Regional Committees and Regional Fora.

Amendments (with track changes) to the Rules of Procedure of the IUCN World Conservation Congress

1. Part IX – Elections

**Rule 80 of the Rules of Procedure**

Where the number of candidates for Regional Councillors elected from the Regions is the same or less than the number of vacancies in the Region for which they are nominated, each candidate shall be voted on individually. Should a candidate not receive a simple majority of votes cast by Members eligible to vote in Category A and in Categories B and C combined, the position of the Regional Councillor shall be filled by the new Council.
2. **Rule 81 of the Rules of Procedure**

Where there is more than one candidate for the post of the President, Treasurer, Regional Councillor or Commission Chair: [...] 

(c) where three or more persons are to be elected from among four or more candidates to serve as Regional Councillors for a Region, the vote shall be cast by placing an ‘X’ against the names of preferred candidates up to the maximum number of the candidates to be elected for that Region. Where more than one candidate is nominated from the same State, only the candidate receiving the greater number of votes may be elected; [...] 

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| 1. | **Part IV – World Conservation Congress**  
Elections: Regional Councillors  
Article 37 of the Regulations  
At least nine months before each ordinary session of the World Congress the Members in Categories A and B shall be invited by the Director General to submit to the Election Officer, the names of candidates for election as Regional Councillors. Such invitation shall be accompanied by a list of the Regional Councillors in office, indicating those who are eligible for re-election. | **Part IV – World Conservation Congress**  
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At least nine months before each ordinary session of the World Congress the Members in Categories A, and B and C shall be invited by the Director General to submit to the Election Officer, the names of candidates for election as **Regional Councillors elected from the Regions**. Such invitation shall be accompanied by a list of the **Regional Councillors elected from the Regions**. | **Part IV – World Conservation Congress**  
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At least nine months before each ordinary session of the World Congress the Members in Categories A, B and C shall be invited by the Director General to submit to the Election Officer, the names of candidates for election as “Councillors elected from the Regions”. Such invitation shall be accompanied by a list of the Councillors elected from the Regions. |
### Article 38 of the Regulations

Nominations for candidates from a Region for election as Regional Councillors shall be made by five Members eligible to vote or ten per cent of all such Members in that Region, whichever is lower, in both cases drawn from more than one State. For the purpose of nomination, an international non-governmental organisation whose constituency covers more than one Region shall be regarded as being located in the Region where its principal office is located. All nominations shall be submitted together with an abbreviated *curriculum vitae* for each candidate, supplied by that candidate. Each candidate shall declare in writing a willingness to serve if elected. The deadline for nominations shall be determined on each occasion by the Council.

### Article 39 of the Regulations

Candidates for election as Regional Councillors shall be nationals of a State in the Region concerned, and shall be resident in that Region.

### Article 40 of the Regulations

Nominations received from Members within a Region for election as Regional Councillors from that Region shall be communicated via the IUCN intranet as and when they are received from the Regions in office, indicating those who are eligible for re-election.
declared by the Election Officer as meeting the requirements established in the Statutes and the present Regulations. Before taking a definitive decision to reject a nomination, the Election Officer shall allow the individuals whose nomination does not meet the requirements a period of three weeks following the deadline in case they wish to bring evidence that the nomination(s) received were valid at the time of the deadline. Nominations that meet the requirements shall be submitted by the Election Officer with appropriate background information to each ordinary session of the World Congress. The Election Officer shall list the candidates in alphabetical order from a point in the alphabet chosen at random, with an indication of the number of nominations received per candidate.

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5. **Part V – The Council**

**Appointments and Vacancies**

**Article 45 of the Regulations**

The elected members of the Council shall appoint as soon as practicable after their election, and for a term to run concurrently with their own:

[...] (b) a Councillor from Switzerland, chosen after consultation with the Swiss authorities, if a Regional Councillor from Switzerland has not been elected; [...]
Functions and Composition of the Bureau

Article 57 of the Regulations

The Bureau shall act on behalf of Council on any matters that Council may assign to it from time to time and any matters that may arise under Article 46 (b) to (q) of the Statutes. In addition, the Bureau shall decide directly on those specific matters assigned to it by the Council as provided for in the list annexed to the Rules of Procedure of the Bureau. The list shall be reviewed from time to time by Council and may be modified.

(a) The Bureau shall consist of the President as Chair, two Vice-Presidents, the Treasurer, one Commission Chair, two Regional Councillors, and the Chairs of the Programme and Policy Committee, the Finance and Audit Committee and the Governance and Constituency Committee.

(c) The two Vice-Presidents and two Regional Councillors shall serve only through the first half of the term, and for the second half of the term shall be replaced by Councillors from other Regions and the two other Vice-Presidents.