



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

**Proposed amendments to the IUCN Statutes, Rules of Procedure of
the World Conservation Congress and the IUCN Regulations:
Election of Regional Councillors resident in dependent territories**

ADOPTED MOTION

The IUCN World Conservation Congress,

Adopts the following amendment to the Statutes 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

1. IUCN structures the distribution of Regional Councillor seats by regions defined in its Statutes in connection with States (in the sense of Article 5 of the IUCN Statutes) composing such regions (Articles 16 and 17 of the IUCN Statutes), while it operates differently in certain regions, for example through regional offices or regional committees covering States or territories related to regions or parts of regions (e.g. the Caribbean).
2. As a result, candidates resident in dependent territories may be elected for the Region where their State is located, but may be excluded from being elected for positions as Regional Councillors for a Region or part of the Region where they are geographically located. An example was the nomination of a candidate from Puerto Rico in 2016 by the IUCN Members from the Caribbean, a geographical area covered by a recognized Regional Committee, for election as one of the three Regional Councillors from the statutory region “North America and the Caribbean”. Despite the fact that there is no statutory rule with this regard, there is an established practice among the IUCN Members of this statutory region, that one of the three Regional Councillor seats would be for a candidate nominated by the IUCN Members of the Caribbean, a seat which the Members concerned commonly call the “Caribbean Councillor”. The nomination was valid, because the candidate was from Puerto Rico and therefore a citizen from United States of America and resident in the statutory region concerned. However, the candidate was not certain of his election as “Caribbean Councillor” because of the restriction that there shall only be one Regional Councillor from the same State (Article 40 of the Statutes) and the fact that there was another candidate from the US nominated by IUCN Members from North America.
3. As this issue may have relevance for other dependent territories, in the Caribbean and elsewhere in the world, the IUCN Members from the Caribbean requested the IUCN Council to examine possible solutions to avoid that certain constituencies be excluded from IUCN’s governance. For instance, under the current Statutes, a candidate from Guadeloupe

who is a French national could be elected a Regional Councillor for West Europe (because France is attached to the statutory Region of “West Europe”), but not as Regional Councillor for North America and the Caribbean (the “Caribbean Councillor”) because of the condition that the candidate shall be a national of a State in the Region concerned and shall be resident in that Region (Regulation 39). According to IUCN’s Statutes, a candidate from Guadeloupe would be considered as resident in France and not in a State of the statutory Region of “North America and the Caribbean”.

Council’s proposal

4. The Council proposes amendments to the Statutes, Rules of Procedure and Regulations (Annex 1) in order to allow candidates resident in dependent territories to be elected as Regional Councillors in the region where the dependent territory is geographically located in addition to the possibility such candidates already have under the current Statutes of IUCN to be elected as Regional Councillor for the Region to which their State belongs.

5. The wording of the proposed amendments is such that the new rule also applies to dependent territories located in the same region as the State to which they belong but in a part of the region covered by a recognized Regional Committee other than that of their State.

6. If the motion related to the modification of the term “Regional Councillor” is adopted in the form as proposed by the IUCN Council, article 40 of the Statutes; Rule 81; Regulations 38 and 39 shown in Annex 1 will, among others, be amended in order to replace the term “Regional Councillor” with the term “Councillors elected from the Regions”.

Process

7. The IUCN Council presented the proposed solution to the global IUCN membership for comments and discussion during the Regional Conservation Forums (May through September 2019) and online.

8. In the absence of objections from IUCN Members, the IUCN Council refined the proposed amendments in light of comments received and decided to forward them to the 2020 Congress for discussion and adoption.

Entry into effect

9. If the Congress adopts the amendments, they will apply to the nominations process leading to the elections at the Congress 2024.

Proposed amendments to the IUCN Statutes, the Rules of Procedure of the IUCN World Conservation Congress and the IUCN Regulations regarding the Election of Regional Councillors resident in dependent territories

Amendment #	Existing provisions of the IUCN Statutes	Amendments (with track changes)	New version of the IUCN Statutes as amended (all track changes 'accepted')
1.	<p>Part IV – The Council</p> <p><u>Composition</u></p> <p>Article 40 of the IUCN Statutes</p> <p>Only one Regional Councillor, and only two Chairs of Commissions, shall be from the same State.</p>	<p>Part IV – The Council</p> <p><u>Composition</u></p> <p>Article 40 of the IUCN Statutes</p> <p>(a) Only one Each Region shall have no more than one Regional Councillor, and only two Chairs of Commissions, shall be from the same from any one State. This does not preclude a Regional Councillor from the same State resident in a dependent territory of her/his State from being elected as Regional Councillor for a Region other than that of her/his State, or that s/he is elected for the same Region as her/his State but nominated by Members of part of a Region in which the dependent territory is located. There shall however be no more than two Regional Councillors from any state including their dependent territories in Council.</p> <p>(b) <u>No more than</u> two Chairs of Commissions shall be from the same State.</p>	<p>Part IV – The Council</p> <p><u>Composition</u></p> <p>Article 40 of the IUCN Statutes</p> <p>(a) Each Region shall have no more than one Regional Councillor from any one State. This does not preclude a Regional Councillor from the same State resident in a dependent territory of her/his State from being elected as Regional Councillor for a Region other than that of her/his State, or that s/he is elected for the same Region as her/his State but nominated by Members of part of a Region in which the dependent territory is located. There shall however be no more than two Regional Councillors from any state including their dependent territories in Council.</p> <p>(b) No more than two Chairs of Commissions shall be from the same State.</p>

Amendment #	Existing provisions of the Rules of Procedure of the IUCN World Conservation Congress	Amendments (with track changes)	New version of the Rules of Procedure as amended (all track changes 'accepted')
1.	<p>Part IX – Elections</p> <p><u>Nominations and Method of Voting in Elections</u></p> <p>Rule 81 of the Rules of Procedure</p> <p>Where there is more than one candidate for the post of the President, Treasurer, Regional Councillor or Commission Chair:</p> <p>[...]</p> <p>(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.</p>	<p>Part IX – Elections</p> <p><u>Nominations and Method of Voting in Elections</u></p> <p>Rule 81 of the Rules of Procedure</p> <p>Where there is more than one candidate for the post of the President, Treasurer, Regional Councillor or Commission Chair:</p> <p>[...]</p> <p>(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; <u>This does not apply to candidates from the same State resident in dependent territories as defined in Article 40 of the Statutes. Where more than one candidate has been nominated from the same State and the same dependent territory, only the candidate receiving the greater number of votes may be elected.</u></p>	<p>Part IX – Elections</p> <p><u>Nominations and Method of Voting in Elections</u></p> <p>Rule 81 of the Rules of Procedure</p> <p>Where there is more than one candidate for the post of the President, Treasurer, Regional Councillor or Commission Chair:</p> <p>[...]</p> <p>(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. This does not apply to candidates from the same State resident in dependent territories as defined in Article 40 of the Statutes. Where more than one candidate has been nominated from the same State and the same dependent territory, only the candidate receiving the greater number of votes may be elected.</p>

Amendment #	Existing provisions of the IUCN Regulations	Amendments (with track changes)	New version of the Regulations as amended (all track changes 'accepted')
1.	<p>Part IV – The World Conservation Congress</p> <p><u>Elections: Regional Councillors</u></p> <p>Article 38 of the Regulations</p> <p>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 <i>curriculum vitae</i> 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.</p>	<p>Part IV – The World Conservation Congress</p> <p><u>Elections: Regional Councillors</u></p> <p>Article 38 of the Regulations</p> <p>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. <u>Nominations for candidates resident in dependent territories as defined in Article 40 of the Statutes, shall be made by five Members eligible to vote or ten per cent of all such Members in the Region for which they wish to be elected, where the dependent territory is located, whichever is lower, drawn from more than one State.</u> 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 <i>curriculum vitae</i> 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.</p>	<p>Part IV – The World Conservation Congress</p> <p><u>Elections: Regional Councillors</u></p> <p>Article 38 of the Regulations</p> <p>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. Nominations for candidates resident in dependent territories as defined in Article 40 of the Statutes, shall be made by five Members eligible to vote or ten per cent of all such Members in the Region for which they wish to be elected, where the dependent territory is located, whichever is lower, 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 <i>curriculum vitae</i> 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.</p>

	<p>Article 39 of the Regulations</p> <p>Candidates for election as Regional Councillors shall be nationals of a State in the Region concerned, and shall be resident in that Region.</p>	<p>Article 39 of the Regulations</p> <p>Candidates for election as Regional Councillors shall be nationals of a State in the Region concerned, and shall be resident in that Region. <u>Candidates for election as Regional Councillors for a Region, or part of a Region covered by a recognized Regional Committee, other than that of their State, referred to in Article 40 of the Statutes, shall be resident in the Region concerned and be nationals of the State to which the dependent territory belongs.</u></p>	<p>Article 39 of the Regulations</p> <p>Candidates for election as Regional Councillors shall be nationals of a State in the Region concerned, and shall be resident in that Region. Candidates for election as Regional Councillors for a Region, or part of a Region covered by a recognized Regional Committee, other than that of their State, referred to in Article 40 of the Statutes, shall be resident in the Region concerned and be nationals of the State to which the dependent territory belongs.</p>
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