

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

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"

ADOPTED MOTION

The IUCN World Conservation Congress,

Adopts the following amendments to: (*cf. Table attached hereafter as* <u>*Annex 1*</u>) [...]

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 <u>Council Handbook</u>, <u>Code of Conduct for IUCN Councillors</u> and in the document <u>Election, Role, Function and Qualifications Required</u>.

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 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 <u>Annex 1</u>.

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 2021–2024 update the Council Handbook on this and other aspects of the Councillors' roles in line with the Terms of Reference for all elected positions (<u>the Election, Role, Function and</u> <u>Qualifications Required</u>), 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 Congress, they will become effective at the close of the Congress, 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"

Amend-	Existing provisions of the IUCN	Amendments (with track changes)	New version of the IUCN Statutes as
ment #	Statutes		amended (all track changes 'accepted')
1.	Part III – Members	Part III – Members	Part III – Members
	Rights and Obligations of Members	Rights and Obligations of Members	Rights and Obligations of Members
	Article 12 of the IUCN Statutes []	Article 12 of the IUCN Statutes []	Article 12 of the IUCN Statutes []
	(b) Members in Categories A, B and C shall	(b) Members in Categories A, B and C shall	(b) Members in Categories A, B and C shall
	also have the right:	also have the right:	also have the right:
	[…]	[]	[]
	(iii) to nominate to the World Congress	(iii) to nominate to the World Congress	(iii) to nominate to the World Congress
	candidates for election as Regional	candidates for election as Regional	candidates for election as Councillors
	Councillors;	Councillors <u>elected from the Regions;</u>	elected from the Regions;
	[…]	[]	[]
2.	Part V – The World Conservation	Part V – The World Conservation	Part V – The World Conservation
	Congress	Congress	Congress
	Functions	Functions	Functions
	Article 20 of the IUCN Statutes	Article 20 of the IUCN Statutes	Article 20 of the IUCN Statutes
	The functions of the World Congress shall be <i>inter alia</i> :	The functions of the World Congress shall be <i>inter alia</i> :	The functions of the World Congress shall be <i>inter alia</i> :
	[…]	[]	[…]
	(h) to elect the President, Treasurer,	(h) to elect the President, Treasurer,	(h) to elect the President, Treasurer,
	Regional Councillors and Chairs of	Regional Councillors <u>elected from the</u>	Councillors elected from the Regions and
	Commissions;	<u>Regions</u> and Chairs of Commissions;	Chairs of Commissions;
	[…]	[]	[]

3.	Elections	Elections	Elections
	Article 28 of the IUCN Statutes	Article 28 of the IUCN Statutes	Article 28 of the IUCN Statutes
	The Regional Councillors shall be elected by the World Congress in accordance with Article 39 and the Regulations.	The Regional Councillors <u>elected from the</u> <u>Regions</u> shall be elected by the World Congress in accordance with Article 39 and the Regulations.	The Councillors elected from the Regions shall be elected by the World Congress in accordance with Article 39 and the Regulations.
4.	Part VI – The Council	Part VI – The Council	Part VI – The Council
	<u>Composition</u>	<u>Composition</u>	Composition
	Article 38 of the IUCN Statutes	Article 38 of the IUCN Statutes	Article 38 of the IUCN Statutes
	The members of the Council are:	The members of the Council are:	The members of the Council are:
	(a) the President;	(a) the President;	(a) the President;
	(b) the Treasurer;	(b) the Treasurer;	(b) the Treasurer;
	(c) the Chairs of the Commissions;	(c) the Chairs of the Commissions;	(c) the Chairs of the Commissions;
	(d) the Regional Councillors;	(d) the <u>otherRegional</u> Councillors <u>as follows:</u> ;	(d) other Councillors as follows:
	(e) a Councillor from the State in which IUCN has its seat, appointed by the Council, provided that one from that State has not	(i) Councillors elected from the Regions;	i) Councillors elected from the Regions;
	(f) one additional appointed Councillor, chosen by the Council on the basis of appropriate qualifications, interests and skills.	(ii)(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 <u>from the</u> <u>concerned Region</u> ; and	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)(f) one additional appointed Councillor, chosen by the Council on the basis of appropriate qualifications, interests and skills.	iii) one additional appointed Councillor, chosen by the Council on the basis of appropriate qualifications, interests and skills.

5.	Article 39 of the IUCN Statutes	Article 39 of the IUCN Statutes	Article 39 of the IUCN Statutes
	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.	There shall be a total of twenty-eight Regional Councillors elected from the Regions. 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.	There shall be a total of twenty-eight Councillors elected from the Regions. 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.
6.	Article 40 of the IUCN Statutes	Article 40 of the IUCN Statutes	Article 40 of the IUCN Statutes
	Only one Regional Councillor, and only two Chairs of Commissions, shall be from the same State.	Only one Regional Councillor <u>elected from</u> <u>the Regions</u> , and only two Chairs of Commissions, shall be from the same State.	Only one Councillor elected from the Regions, and only two Chairs of Commissions, shall be from the same State.
7.	Article 41 of the IUCN Statutes	Article 41 of the IUCN Statutes	Article 41 of the IUCN Statutes
	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.	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.	The terms of office of the President, Treasurer, 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.
8.	Article 43 of the IUCN Statutes	Article 43 of the IUCN Statutes	Article 43 of the IUCN Statutes
	The Council may fill any vacancies for the President, Treasurer, Councillors and Chairs	The Council may fill any vacancies for the President, Treasurer, Councillors and Chairs	The Council may fill any vacancies for the President, Treasurer, Chairs of

	of Commissions that may occur, for the balance of the term concerned.	of Commissions <u>and other Councillors</u> that may occur, for the balance of the term concerned.	Commissions and other Councillors that may occur, for the balance of the term concerned.
9.	Part VII – The National and Regional Committees and Regional Fora	Part VII – The National and Regional Committees and Regional Fora	Part VII – The National and Regional Committees and Regional Fora
	Article 72 of the IUCN Statutes	Article 72 of the IUCN Statutes	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.	Regional Councillors elected from the Regions 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.	Councillors elected from the Regions 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.

Amend- ment #	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.	Part IX – Elections	Part IX – Elections	Part IX – Elections
	Nominations and Method of Voting in Elections	Nominations and Method of Voting in <u>Elections</u>	Nominations and Method of Voting in <u>Elections</u>
	Rule 80 of the Rules of Procedure	Rule 80 of the Rules of Procedure	Rule 80 of the Rules of Procedure
	Where the number of candidates for Regional Councillors 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	Where the number of candidates for Regional Councillors <u>elected from the Regions</u> 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	Where the number of candidates for 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

	Categories B and C combined, the position of the Regional Councillor shall be filled by the new Council.	vote in Category A and in Categories B and C combined, the position of the Regional <u>"Councillor elected from the Regions"</u> shall be filled by the new Council.	eligible to vote in Category A and in Categories B and C combined, the position of the "Councillor elected from the Regions" shall be filled by the new Council.
2.	Rule 81 of the Rules of Procedure	Rule 81 of the Rules of Procedure	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	Where there is more than one candidate for the post of the President, Treasurer, Regional Councillor <u>elected from the Regions</u> or Commission Chair: []	Where there is more than one candidate for the post of the President, Treasurer, Councillor elected from the Regions or Commission Chair: []
	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	(c) where three or more persons are to be elected from among four or more candidates to serve as Regional "Councillors elected from the Regions" 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	(c) where three or more persons are to be elected from among four or more candidates to serve as "Councillors elected from the Regions" 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
	greater number of votes may be elected; []	is nominated from the same State, only the candidate receiving the greater number of votes may be elected; []	candidate is nominated from the same State, only the candidate receiving the greater number of votes may be elected; []

Amend ment #	.	Amendments (with track changes)	New version of the Regulations as amended (all track changes 'accepted')
1.	Part IV – World Conservation Congress	Part IV – World Conservation Congress	Part IV – World Conservation Congress
	Elections: Regional Councillors	Elections: Regional Councillors elected from the Regions	Elections: Councillors elected from the Regions
	Article 37 of the Regulations	Article 37 of the Regulations	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	At least nine months before each ordinary session of the World Congress the Members in Categories A_{1} and B and C shall be invited	At least nine months before each ordinary session of the World Congress the Members in Categories A, B and C shall be invited by

	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.	by the Director General to submit to the Election Officer, the names of candidates for election as Regional <u>"</u> Councillors <u>elected</u> <u>from the Regions</u> ". Such invitation shall be accompanied by a list of the Regional Councillors <u>elected from the Regions</u> in office, indicating those who are eligible for re- election.	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 in office, indicating those who are eligible for re-election.
2.	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 <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.	Article 38 of the Regulations Nominations for candidates from a Region for election as Regional "Councillors elected from the Regions" 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.	Article 38 of the Regulations Nominations for candidates from a Region for election as "Councillors elected from the Regions" 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</i> <i>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.
3.	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 39 of the Regulations Candidates for election as Regional "Councillors elected from the Regions" shall be nationals of a State in the Region concerned, and shall be resident in that Region.	Article 39 of the Regulations Candidates for election as "Councillors elected from the Regions" shall be nationals of a State in the Region concerned, and shall be resident in that Region.
4.	Article 40 of the Regulations	Article 40 of the Regulations	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 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.	Nominations received from Members within a Region for election as Regional "Councillors elected from the Regions" from that Region shall be communicated via the IUCN intranet as and when they are 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.	Nominations received from Members within a Region for election as "Councillors elected from the Regions" from that Region shall be communicated via the IUCN intranet as and when they are 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.
5.	Part V – The Council	Part V – The Council	Part V – The Council
	Appointments and Vacancies	Appointments and Vacancies	Appointments and Vacancies
	Article 45 of the Regulations	Article 45 of the Regulations	Article 45 of the Regulations
	The elected members of the Council shall appoint as soon as practicable after their	The elected members of the Council shall appoint as soon as practicable after their	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:	election, and for a term to run concurrently with their own:	election, and for a term to run concurrently with their own:
			[]
	(b) a Councillor from Switzerland, chosen after consultation with the Swiss authorities, if	(b) a Councillor from Switzerland, chosen after consultation with the Swiss authorities, if	(b) a Councillor from Switzerland, chosen after consultation with the Swiss authorities,

	a Regional Councillor from Switzerland has not been elected; []	a Regional <u>"</u> Councillor <u>elected from the</u> <u>Regions</u> " from Switzerland has not been elected; []	if a "Councillor elected from the Regions" from Switzerland has not been elected; []
6.	Functions and Composition of the Bureau	Functions and Composition of the Bureau	Functions and Composition of the Bureau
	Article 57 of the Regulations	Article 57 of the Regulations	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.	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.	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 	 (a) The Bureau shall consist of the President as Chair, two Vice-Presidents, the Treasurer, one Commission Chair, two Regional Councillors elected from the Regions, 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 	(a) The Bureau shall consist of the President as Chair, two Vice-Presidents, the Treasurer, one Commission Chair, two I Councillors elected from the Regions, and the Chairs of the Programme and Policy Committee, the Finance and Audit Committee and the Governance and Constituency Committee. []
	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. []	Regional Councillors <u>elected from the</u> <u>Regions</u> 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. []	(c) The two Vice-Presidents and two Councillors elected from the Regions 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. []