Congress document CGR-2021-8.1/11-Rev
9 September 2021

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

Proposed amendment to the IUCN Statutes and Rules of Procedure:

Improvements to the motions process to put a cap on the number of abstentions in order for a motion to be adopted

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

MOTION WITHDRAWN

The IUCN World Conservation Congress,

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

[…]

EXPLANATORY MEMORANDUM

Background

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

- The 2016 IUCN Congress Participant Survey Report dated 18 January 2017
- Feedback by IUCN Members on the online Motions Process[1]
- The recommendations of the 2016 Congress Resolutions Committee[2]
- The article "IUCN's encounter with 007: safeguarding consensus for conservation" published in Oryx[3] whose authors come from a broad cross-section of IUCN.

2. Council's response to the feedback and suggestions approved at its 95th meeting in October 2018 (decision C/95/11) included proposed amendments to the IUCN Statutes, the

[1] A summary is available as Annex 1 of Council document C/93/GCC/3.2 (p. 651)
[2] *"The IUCN Motions Process. Reflections from the 2016 WCC Resolutions Committee"* available as Annex 2 of Council document C/93/GCC/3.2 (p. 651)
[3] Stuart, S., Al Dhaheri, S., Bennett, E., Biggs, D., Bignell, A., Byers, O., . . . Von Weissenberg, M. (2017). IUCN's encounter with 007: Safeguarding consensus for conservation. *Oryx,* 1-7. doi:10.1017/S0030605317001557, referred to hereafter as Stuart, *et al.*, 2017.

Rules of Procedure of the World Conservation Congress and the Regulations. It was presented to IUCN Members for online discussion in November–December 2018[4].

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

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

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

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

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

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

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

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

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

11. The Council decided to slightly modify its initial proposal and suggest that the Statutes be amended as proposed but that, if due to the high number of abstentions, the motion put to the vote is not adopted in a first vote, there be held a second vote under the same conditions. That

[4] The table with the Council's detailed response to the feedback is available as Annex 20 to Council decision C/95/19 (p. 170).
[5] Proceedings of the 2016 Members' Assembly (p. 20)

is, the same rule regarding abstentions defined in Article 32 of the Statutes will also apply to the second vote. In addition, the second vote shall be held on the same text that was submitted to the first vote. This will allow delegations at Congress to consult and possibly modify their position in order to reduce the number of abstentions. The Chair of the Members' Assembly could decide that the second vote be held at a later moment during the Members' Assembly, possibly after referring the motion to a contact group.

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

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

Entry into effect

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

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

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

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

	Members' Assembly. The electronic vote shall be opened and closed on dates prior to the opening of Congress to be determined by Council. Paragraphs c. to g. of Regulation 94 shall apply *mutatis mutandis* to the electronic vote on motions; or (b) refer to the Members' Assembly for continued debate and vote on the floor, motions which have been the subject of such discussion and divergent proposed amendments or that are so controversial that it is, in the opinion of the Motions Working Group, not possible to produce a consensus text for submission to a decision by electronic vote prior to Congress.	which will continue to be discussed and voted upon during the Members' Assembly. The electronic vote shall be opened and closed on dates prior to the opening of Congress to be determined by Council. Paragraphs c. to g. of Regulation 94 shall apply *mutatis mutandis* to the electronic vote on motions; ~~or~~ (b) refer to the Members' Assembly for continued debate and vote on the floor, motions which have been the subject of such discussion and divergent proposed amendments or that are so controversial that it is, in the opinion of the Motions Working Group, not possible to produce a consensus text for submission to a decision by electronic vote prior to Congress~~.~~; or (c) refer to the Members' Assembly for a second vote the motions referred to in Article 32 of the Statutes which have not been adopted due to the high number of abstentions.	Members' Assembly. The electronic vote shall be opened and closed on dates prior to the opening of Congress to be determined by Council. Paragraphs c. to g. of Regulation 94 shall apply *mutatis mutandis* to the electronic vote on motions; (b) refer to the Members' Assembly for continued debate and vote on the floor, motions which have been the subject of such discussion and divergent proposed amendments or that are so controversial that it is, in the opinion of the Motions Working Group, not possible to produce a consensus text for submission to a decision by electronic vote prior to Congress; or (c) refer to the Members' Assembly for a second vote the motions referred to in Article 32 of the Statutes which have not been adopted due to the high number of abstentions.