



MOTION DEFERRED TO COUNCIL

Congress document CGR-2021-8.1/12-Rev
9 September 2021

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

Proposed amendment to the IUCN Statutes: Improvements to the motions process regarding the majority required to adopt motions

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.

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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 Process¹
- The recommendations of the 2016 Congress Resolutions Committee²
- 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](https://doi.org/10.1017/S0030605317001557), referred to hereafter as Stuart, *et al.*, 2017.

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Rules of Procedure of the World Conservation Congress and the Regulations. It was presented to IUCN Members for online discussion in November–December 2018⁴.

3. As requested by Congress decision WCC-2016-Dec-113⁵, 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.

6. Following consideration of the comments made by IUCN Members, the Council decided not to pursue one of its proposals which concerned the increase of the majority required for adopting motions from a simple majority to a two-thirds majority.

Proposed amendment to the Statutes regarding the majority required to adopt motions

7. Concerned that every attempt is made to achieve the broadest possible support for a motion before it is put to the vote and to ensure a genuine interest for all participants to engage in discussions and negotiations, the IUCN Council proposes to increase the majority requirement for voting on motions. This would increase the incentives to negotiate in good faith, as it would be harder for a motion to be adopted in the absence of consensus. And it would increase the legitimacy of IUCN's policy and the likelihood of Resolutions being implemented. A two-thirds majority is considered effective for this purpose.

8. A concrete case in point where an increased majority requirement would have had the desired effect was the difficult discussion in Hawai'i (2016) of motion 007 (the "James Bond" motion) about "Closure of domestic markets for elephant ivory". One of the problems was that a group of IUCN Members was so confident to achieve a simple majority that very little, if any efforts were made in the contact group to negotiate.

9. Council's proposed amendment would only apply to motions referred to in Rule 48*bis*, i.e. motions that, when adopted, take the form of a Resolution or Recommendation defining the general policy of IUCN, influence policies or actions of third parties, or addressing the governance of IUCN. The simple majority rule will continue to apply for all other decisions to be approved by Congress, such as the adoption of the IUCN Programme, the mandates of the IUCN Commissions, or any procedural motions.

10. This proposal generated both strong support and strong opposition among the IUCN Members commenting during the RCF and online. Some also wrote to Council to express their concerns. In support of the motion was the fact that moving to a 2/3 majority would avoid highly divisive situations and encourage people to work together. Concerns were raised that such a move would mean that IUCN becomes less able to adopt innovative motions that change the status quo and advance needed changes. Similarly, there was concern that if adopted, this

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)

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requirement would prevent the adoption of proposals relevant at a regional, national and local level, for example, because people who don't understand the issues, would abstain.

11. A simulation exercise, applying a two-thirds majority rule to the results of the votes on motions in 2012 and 2016, reveals that its impact would in fact be limited:

- Of the 85 motions voted on electronically prior to the 2016 Congress, the following three motions would not have been adopted under a two-thirds majority rule:
 - Motion 011 with amendment 2 – “Greater protection needed for all pangolin species” (71% in Cat. A and 62% in Cat. B), noting that this was only the second of three versions of the motion submitted with amendments. The other two versions were approved with two-thirds majority.
 - Motion 060 with amendment 1 – “Pacific region climate resiliency action plan” (adopted by 64% in Cat. A and 65% in Cat. B).
 - Motion 075 with amendment 1 – “Best practice for industrial-scale development projects” (67% in Cat. A and 63% in cat. B), noting that this was only the first of two versions approved with amendments. The other version was approved with two-thirds majority.
- All 20 additional motions (becoming Resolutions/Recommendations) adopted during the 2016 Congress would also have been adopted under a two-thirds majority rule. The only motion adopted that would not have passed under a two-thirds majority rule was “Motion / Moción - 6.1 IUCN Programme 2017-2020: Amendment 2” which concerned an amendment to the IUCN Programme.
- All 186 motions (becoming Resolutions/Recommendations) adopted during the 2012 Congress would also have been adopted if the majority requirement was two-thirds. There were three votes on amendments to these motions that would not have passed under a 2/3 majority rule (amendments on Motions 38, 42 and 170). Also two procedural motions would have failed to obtain the two-thirds majority in each Category.

12. During its 98th meeting in February 2020, the Council decided to maintain the proposed amendment to the Statutes convinced that it would be in the long-term interest of biodiversity conservation if IUCN strengthened its convening role by introducing an increased majority for the adoption of motions which would contribute to achieving the broadest possible support, if not consensus, engaging all parties that represent a variety of views in discussions and negotiations, while the broadest possible support would also increase the legitimacy and implementation of the Resolutions and Recommendations concerned. If more effort was put into ensuring a good process of consultations and negotiations, there would be no reason to fear that a two-thirds majority could not be achieved to support innovative ideas or issues of local importance or of concern to minority groups.

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 response to a comment made, to separate issues and completely split the original motion into three. No additional substantial revisions have been made to this version.

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.

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Congress document CGR-2021-8.1/12-Rev
Annex 1

Proposed amendment to the IUCN Statutes regarding the majority required to adopt motions

Amendment #	Existing provisions of the IUCN Statutes:	Proposed amendments (with track changes)	Revised version of the IUCN Statutes (all track changes 'accepted')
1.	[none]	<p>[New] Article 31<i>bis</i> of the Statutes</p> <p><u>The adoption of motions referred to in Article 48<i>bis</i> of the Rules of Procedure shall require a majority of two-thirds of the votes cast in Category A and in Categories B and C combined.</u></p>	<p>[New] Article 31<i>bis</i> of the Statutes</p> <p>The adoption of motions referred to in Article 48<i>bis</i> of the Rules of Procedure shall require a majority of two-thirds of the votes cast in Category A and in Categories B and C combined.</p>