

**IUCN  
WORLD CONSERVATION CONGRESS  
5–14 October 2008, Barcelona, Spain**

**Proposed Amendments to IUCN Statutes, Rules of Procedure of the  
World Conservation Congress and Regulations Concerning the  
Creation of a New Membership Category for Local and Regional  
Government Authorities**

Proposed to the World Conservation Congress by at least five (5) members in Category A.

**Action Requested:** The World Conservation Congress is requested to:

- a) TAKE NOTE of the proposed amendments to the Statutes, Rules of Procedure and Regulations; and
  - b) ADOPT the proposed amendments to the Statutes, Rules of Procedure and Regulations.
1. Resolution 3.003 (“Engagement by IUCN with local and regional government authorities”) adopted at the IUCN 3<sup>rd</sup> World Conservation Congress in Bangkok, Thailand in November 2004, called upon the IUCN Council “to examine and report to members on methods by which IUCN can better engage with local and regional government authorities.”
  2. Prior to the 69<sup>th</sup> meeting of the IUCN Council (March 2008) the French National Committee of IUCN submitted to the Governance Task Force of the IUCN Council (GTF) a paper that included a “Proposal to amend current provisions in the Statutes, Rules of Procedure of the World Conservation Congress and Regulations, in order to accommodate local and regional government authorities in IUCN governance” (the “Proposal”). To that end, the Proposal seeks to create a new Category D of membership in IUCN for local and regional government authorities (and for specified relevant national and international organizations).
  3. At a meeting on 8-9 March 2008, the GTF considered this proposal and took the following decision and made the following recommendation to Council: “... that the French National Committee’s proposal to amend the IUCN Statutes in order to allow local authorities to join IUCN is supported by Council. Council is recommended to request the Legal Adviser and the Task Force to assist the French National Committee in further developing their proposal and to assist in its submission to Congress with the support of Council.”
  4. Council, at its 69<sup>th</sup> meeting on 10–12 March 2008, decided (as reported in the Draft Minutes of the meeting) that “while it is important to support the participation of local authorities, there is a problem with this proposal as the definition of a local authority is not the same in all countries: it could be a municipality, a region, a prefecture, etc. It was felt that this proposal should not be adopted as it would create more problems than it would solve. A great deal of caution was recommended.” When the recommendation by the Governance Task Force was put to a vote, Council voted against supporting the Proposal.
  5. Pursuant to relevant part of Art. 105 of the Statutes, “[a]mendments to these Statutes may be proposed to the World Congress ... (b) by any five members in Category A ..., provided that such proposals are received by the Secretariat not less than one hundred and eighty days prior to the opening of an ordinary or extraordinary session of the World Congress.”

6. Following the 69<sup>th</sup> Meeting of the Council, and up and including 8 April 2008 (the statutory deadline of 180 days prior to the opening of the World Congress), the Director General properly received the Proposal, with strong endorsements for its adoption by the World Congress, from the following nine (9) members in Category A:
  - i. Diputación de Barcelona (Spain);
  - ii. Diputación de Málaga (Spain);
  - iii. Junta de Andalucía (Spain);
  - iv. Ministère des affaires étrangères et européennes (France);
  - v. Conservatoire de l'espace littoral et des rivages lacustres (France);
  - vi. Centre de coopération internationale en recherche agronomique pour le développement, CIRAD (France);
  - vii. Departament de Medi Ambient i Habitatge, Generalitat de Catalunya (Spain);
  - viii. Office National des Forêts (France); and
  - ix. Ministère de l'Ecologie, de l'Energie, du Développement durable et de l'Aménagement du territoire (France).
  
7. The Proposal, as submitted by the above members, is attached hereto and is being communicated by the Director General to the members, in accordance with the provisions of Art. 106 of the Statutes, for their action as requested above.

**Proposal to amend current provisions in the Statutes,  
Rules of Procedure of the World Conservation Congress and Regulations**

**In order to include local and regional government authorities in IUCN governance**

Current Provisions in the Statutes	Proposed Amendments to Current Provisions in the Statutes	Commentaries
<b>Part III – Members</b>		
<p><u>Categories</u> 4. The members of IUCN shall be: Category A: (a) States and government agencies;  (b) political and/or economic integration organizations;  Category B: (c) national non-governmental organizations;  (d) international non-governmental organizations; and  Category C: (e) affiliates.</p>	<p><u>Categories</u> 4. The members of IUCN shall be: Category A: (a) States and government agencies;  (b) political and/or economic integration organizations;  Category B: (c) national non-governmental organizations;  (d) international non-governmental organizations; and  Category C: (e) affiliates;  <b>Category D: (f) local and regional government authorities;</b>  <b>(g) national organizations bringing together local and regional government authorities;</b>  <b>(h) international organizations bringing together local and regional government authorities.</b></p>	

Current Provisions in the Statutes	Proposed Amendments to Current Provisions in the Statutes	Commentaries
<p><u>Categories</u>            5. In these Statutes:            (a) States shall be [...];            (b) government agencies shall be organizations, institutions and, when applicable, government departments, which form part of the machinery of government in a State, including those agencies of the components of federal States or of States having an analogous structure;”[...]            (c) political and/or economic integration organizations shall be [...];            (d) national non-governmental organizations shall be [...];            (e) international non-governmental organizations shall be [...];            (f) affiliate members shall be [...];</p>	<p><u>Categories</u>            5. In these Statutes:            (a) States shall be [...];            (b) government agencies shall be organizations, institutions and, when applicable, government departments, which form part of the machinery of <b>the central, federal or national</b> government in a State;            (c) political and/or economic integration organizations shall be [...];            (d) national non-governmental organizations shall be [...];            (e) international non-governmental organizations shall be [...];            (f) affiliate members shall be [...];    <b>(g) local and regional government authorities shall be governmental entities within a State at sub-national level;</b>    <b>(h) national organizations bringing together local and regional government authorities (and their organizations) shall be institutions and associations incorporated within a State;</b>    <b>(i) international organizations bringing together local and regional government authorities (and their organizations) shall be institutions and associations organized in two or more States.</b></p>	

Current Provisions in the Statutes	Proposed Amendments to Current Provisions in the Statutes	Commentaries
<p><u>Admission</u> 7. Government agencies, national and international non-governmental organizations and affiliates shall become members of IUCN when the Council [...]:</p>	<p><u>Admission</u> 7. Government agencies, <b>local and regional government authorities and their national and international organizations</b>, national and international non-governmental organizations and affiliates shall become members of IUCN when the Council [...]:</p>	
<p><u>Rights and Obligations of Members</u> 12. [...] (b) Members in Categories A and B shall also have the right: (i) to propose to the Council candidates for [...]; (ii) to nominate candidates [...] (v) to vote in sessions of the World Congress or by mail ballot.</p>	<p><u>Rights and Obligations of Members</u> 12. [...] (b) Members in Categories A, <b>B and D</b> shall also have the right: (i) to propose to the Council candidates for [...]; (ii) to nominate candidates [...] (v) to vote in sessions of the World Congress or by mail ballot.</p>	
<p><u>Suspension, Rescission, Expulsion and Withdrawal</u> 13. [...] (c) Should any member act persistently in a manner seriously inconsistent with the objectives of IUCN, the suspension or expulsion of that member may be proposed to the Council: [...] (ii) in the case of any member in Category A or any member of Category B, by at least ten members in the same Category; [...]  (f) If the member concerned requests a vote: [...] (ii) the vote shall take place at the next session of the World Congress and the decision taken, in the case of a member in Category A or Category B, by a two-thirds majority of the votes cast in the relevant Category and in the case of [...] (iv) [...], only members in the same Category may vote on a proposal for suspension or expulsion of a member in Category A or Category B;</p>	<p><u>Suspension, Rescission, Expulsion and Withdrawal</u> 13. [...] (c) Should any member act persistently in a manner seriously inconsistent with the objectives of IUCN, the suspension or expulsion of that member may be proposed to the Council: [...] (ii) in the case of any member in Category A or any member of Category B <b>or any member of Category D</b>, by at least ten members in the same Category; [...]  (f) If the member concerned requests a vote: [...] (ii) the vote shall take place at the next session of the World Congress and the decision taken, in the case of a member in Category A or Category B <b>or Category D</b>, by a two-thirds majority of the votes cast in the relevant Category and in the case of [...] (iv) [...], only members in the same Category may vote on a proposal for suspension or expulsion of a member in Category A or Category B <b>or Category D</b>.</p>	

Current Provisions in the Statutes	Proposed Amendments to Current Provisions in the Statutes	Commentaries
<b>Part V – The World Conservation Congress</b>		
<u>Composition</u> 19. The World Congress shall consist of the duly accredited delegates of the members of IUCN meeting in session. The delegates of the members in Categories A and B shall constitute, respectively, the governmental and non-governmental Categories of the World Congress.	<u>Composition</u> 19. The World Congress shall consist of the duly accredited delegates of the members of IUCN meeting in session. The delegates of the members in Categories A, <b>B and D</b> shall constitute, respectively, the governmental, non-governmental <b>and local</b> Categories of the World Congress.	
<u>Voting</u> 30. Only members in Categories A and B shall have the right to vote.  [...]  34. and 35. Voting rights of governmental and non-governmental members.	<u>Voting</u> 30. Only members in Categories A, <b>B and D</b> shall have the right to vote.  [...]  34. and 35. Voting rights of governmental and non-governmental members.  <b>36.<sup>1</sup> Local members shall have voting rights as follow:</b> <b>(a) Local members, local and regional government authorities and their national organizations, within a State shall collectively have one vote.</b> <i>(i) their vote is exercised, at World Congress, by a delegate appointed by all members of Category D within a State. The appointed delegate is pointed out to the Secretariat before World Congress starts;</i> <i>(ii) if the delegate is not pointed out to the Secretariat, the delegate is randomly sorted within the members of Category D within a State registered at the World Congress;</i> <b>(b) international organizations of local and regional government authorities shall each have one vote.</b>	

25

<sup>1</sup> This amendment, with the new article 36, will bring the number of articles of the new Statutes to 114 instead of 113.

Current Provisions in the Statutes	Proposed Amendments to Current Provisions in the Statutes	Commentaries
<p><u>Review of Decisions</u> 36. All decision of the World Congress taken in circumstances where: (a) fewer than a half of the total votes in either Category A or B were represented at that session of the World Congress, [...]</p>	<p><u>Review of Decisions</u> <b>37.</b> All decision of the World Congress taken in circumstances where: (a) fewer than a half of the total votes in either Category A, <b>B or D</b> were represented at that session of the World Congress, [...]</p>	
<b>Part XVIII – Amendment of the Statutes</b>		
<p>105. Amendments to these Statutes may be proposed to the World Congress:</p> <p>(a) by the Council, which may incorporate in the proposals suggestions received from members of IUCN under Article 104; or</p> <p>(b) by any five members in Category A or fifty members in Category B, provided that [...]</p> <p>107. Unless otherwise [...] shall become effective at the close of the session of the World Congress at which they are adopted by a two-thirds majority of the votes cast in each of the Categories A and B.</p>	<p><b>106.</b> Amendments to these Statutes may be proposed to the World Congress:</p> <p>(a) by the Council, which may incorporate in the proposals suggestions received from members of IUCN under Article <b>105</b>; or</p> <p>(b) by any five members in Category A or fifty members in Category B <b>or in Category D</b>, provided that [...]</p> <p><b>108.</b> Unless otherwise [...] shall become effective at the close of the session of the World Congress at which they are adopted by a two-thirds majority of the votes cast in each of the Categories A, <b>B and D</b>.</p>	
<b>Part XIX – Dissolution</b>		
<p>109. The World Congress may only resolve on the dissolution of IUCN on the basis of a written motion to be sent to all members [...]. Adoption of such a motion shall require a majority of three-quarters of the votes cast by members in each of the Categories A and B.</p>	<p><b>110.</b> The World Congress may only resolve o the dissolution of IUCN on the basis of a written motion to be sent to all members [...]. Adoption of such a motion shall require a majority of three-quarters of the votes cast by members in each of the Categories A, <b>B et D</b>.</p>	

Current provisions in the Rules of Procedure of the World Conservation Congress	Proposed Amendments to Current Provisions in the Rules of Procedure of the World Conservation Congress	Commentaries
<b>Part VIII – Methods of voting</b>		
<p><u>Voting Cards and Electronic Voting Cards</u> [...] 64. The voting cards given to delegates of Category A members shall be white; those to Category B shall be green. In the case of electronic voting, the electronic voting card shall be programmed so to as ensure that the votes of Category A members and the votes of Category B members shall be recorded separately.</p> <p>65. White or green voting cards will each equal one vote [...]</p>	<p><u>Voting Cards and Electronic Voting Cards</u> [...] 64. The voting cards given to delegates of Category A members shall be white; those to Category B shall be green <b>and those to Category D shall be blue</b>. In the case of electronic voting, the electronic voting card shall be programmed so to as ensure that the votes of Category A members, the votes of Category B members <b>and the votes of Category D members</b> shall be recorded separately.</p> <p>65. White, green <b>or blue</b> voting cards will each equal one vote [...]</p>	
<b>Part IX – Elections</b>		
<p><u>Nominations and Method of Voting in Elections</u></p> <p>75. Nominations by a member of Category A or B made before the World Congress shall be communicated by the Council to the members.</p> <p>81. Where there is more than one candidate [...]</p> <p>(f) the number of votes cast for each candidate shall be totalled and the candidates ranked in order of the votes cast, this being done separately for Category A and Category B votes. The rankings so obtained for Category A shall then be added to those of Category B to produce a combined ranking;</p>	<p><u>Nominations and Method of Voting in Elections</u></p> <p>75. Nominations by a member of Category A, <b>B or D</b> made before the World Congress shall be communicated by the Council to the members.</p> <p>81. Where there is more than one candidate [...]</p> <p>(f) the number of votes cast for each candidate shall be totalled and the candidates ranked in order of the votes cast, this being done separately for Category A, Category B <b>and Category D</b> votes. The rankings so obtained for Category A shall then be added to those of Category B <b>and to those of Category D</b> to produce a combined ranking;</p>	

Current provisions in the Rules of Procedure of the World Conservation Congress	Proposed Amendments to Current Provisions in the Rules of Procedure of the World Conservation Congress	Commentaries
<b>Part IX – Elections</b>		
<p>81.  (g) in the event that the combined ranking is the same for two or more candidates the rankings shall be recalculated as follows: the Category A votes for each candidate required to fill the posts involved shall be multiplied by a constant factor being the number of Category B votes cast divided by the number of Category A votes cast for all candidates in that balloting; these adjusted Category A vote totals shall then be added to the Category B vote totals and the candidates ranked in order of the combined vote so obtained;</p>	<p>81.  (g) in the event that the combined ranking is the same for two or more candidates the rankings shall be recalculated as follows: the Category A votes for each candidate required to fill the posts involved shall be multiplied by a constant factor being <b>the sum of the number of Category B votes cast and the number of Category D votes cast</b> divided by the number of Category A votes cast for all candidates in that balloting; these adjusted Category A vote totals shall then be added to the Category B vote totals <b>and the Category D vote totals</b> and the candidates ranked in order of the combined vote so obtained;</p>	

Current Provision in the Regulations	Proposed Amendments to Current Provisions in the Regulations	Commentaries
<b>Part III – Members</b>		
<p><u>Admission</u> Articles 3. to 6. Describe the admission conditions for Categories A and B</p>	<p><u>Admission</u><sup>2</sup></p> <p><b><u>7. Local and regional government authorities</u></b> A local or regional government authority seeking membership of IUCN shall submit an application for admission to the Director General, supported by: (a) a statement by the head of the local or regional government authority, setting forth its competence to adhere to the Statutes, (b) a statement setting for the extent of responsibilities and competences the entity has within its state legislation, related to the themes handled in these Statutes.</p> <p><b><u>8. National organizations bringing together local and regional government authorities (and their organizations)</u></b> Any national organization bringing together local and/or regional government authorities and/or their organizations, seeking membership in IUCN, in addition to the requirements of the Statutes shall: (a) be a not-for-profit entity which conforms with the law of the State where its seat is located; (b) have been in existence for at least three years; (c) have an autonomous and independent board, recognizing that governmental financial support to the organization shall not on its own indicate a lack of independence; and (d) have a legal structure which requires periodic election or appointment of its officers.</p> <p><b><u>9. International organizations bringing together local and regional government authorities (and/or</u></b></p>	

<sup>2</sup> New articles 7, 8 and 9 in the Regulations: in case of adoption the new Regulations will have 101 articles, instead of 98.

	<p><b><u>their organizations)</u></b>  <b>Any international organizations bringing together local and regional government authorities (and/or their organizations), seeking membership in IUCN, in addition to the requirements of the Statutes:</b>  <b>(a) be a not-for-profit entity which conforms with the law of the State where its seat is located;</b>  <b>(b) have been in existence for at least three years;</b>  <b>(c) have as members duly constituted organizations or sub-national entities, or a combination of organizations and entities, with defined rules governing this admission of such members, and shall include members for at least two States;</b>  <b>(d) have a substantial record of activities in two or more States;</b>  <b>(e) have a governing body open to nationals from two Sates; and</b>  <b>(f) have a legal structure which requires periodic election or appointment of its officers.</b></p>	
<p><u>Applications for Membership</u>  7. Government agencies, national and international non-governmental organizations and affiliates shall submit an application to the Director General using the application form provided by the Secretariat and stating the Category of membership sought. [...]</p>	<p><u>Applications for Membership</u>  7. Government agencies, national and international non-governmental organizations, <b>local and regional government authorities and their national and international organizations</b> and affiliates shall submit an application to the Director General. [...]</p>	
<p><u>Membership dues</u>  23. Dues for other members shall be established by the World Congress on the proposal of the Council.</p>		<p><b>The dues could be linked to the annual budget of the entity seeking admission (for local and regional government authorities and their national and international organizations).</b></p>
<p><u>Elections: [...]</u>  Articles 30., 31., 32., 34., 37.  [...] the members in Categories A and B [...]</p>	<p><u>Elections: [...]</u>  Articles 30., 31., 32., 34., 37.  [...] the members in Categories A, <b>B and D</b> [...]</p>	
<p><u>Elections: Regional Councillors [...]</u>  40bis [...]; with government votes and non-government votes reported separately [...]</p>	<p><u>Elections: Regional Councillors [...]</u>  40bis [...]; with government votes, non-government votes <b>and local votes</b> reported separately [...]</p>	