



GOOD GOVERNANCE FOR IUCN IN THE 21ST CENTURY



REPORT OF THE IUCN COUNCIL ON GOVERNANCE REFORMS FOR THE UNION

Submitted by the IUCN President
to the 3rd IUCN World Conservation Congress

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Introduction

The IUCN Council is pleased to present to the 3rd IUCN World Conservation Congress (WCC) for consideration and approval the governance reforms that Council has approved at its 60th Meeting in March 2004.

The reforms described in this paper, and in the attached proposed legal amendments to the Statutes, the Rules of Procedure and the Regulations, are based on the extensive work of the IUCN Council Task Force on Governance undertaken during the period 2001–2004.

The work of the Task Force builds on the results of the Statutes Review process (1994–1996) and responds to the long standing requests from members, donors and the previous IUCN Council (1996–2000) to ensure that IUCN has the appropriate governance system and structure in place for the 21st Century.

In the context of the work of the Task Force, governance means *“the exercise of power, accountability and relationships in pursuit of the IUCN Mission. It is translated into action through institutional structures and processes which define roles and responsibilities for optimum achievement of the Union’s objectives”*¹.



Background

Over the past decade, studies, reports and External Reviews of IUCN have repeatedly raised concerns about the effectiveness and efficiency of IUCN’s governance and called for improvements in the accountability and transparency of the governance mechanisms of the Union.² Following the 2nd World Conservation Congress in Amman, Jordan, the IUCN Council responded to these concerns and appointed a Task Force on Governance at the 54th Meeting of Council in February 2001. The Task Force was

given a mandate³ to examine long standing issues of governance in the Union, to consult with members, donors and key IUCN partners, and to recommend any necessary governance reforms to Council and the 3rd IUCN World Conservation Congress.



Members of the Council Task Force on Governance (2001–2004) are:

Chair: Lynn Holowesko, Bahamas

Ali Akbar, Pakistan

David Brackett, Canada

Puri Canals, Spain

Taghi Farvar, Iran

Alistair Gammell, United Kingdom

Wren Green, New Zealand

Johan Holmberg, Sweden

Manfred Niekisch, Germany

Sônia Rigueira, Brazil

Yolanda Kakabadse, President (*ex officio*)

Since 2001 the Governance Task Force has engaged in an extensive consultation process with members and partners, held a minimum of four meetings each year and has reported its progress to each Council meeting. At these meetings, members of Council have engaged in detailed and lively discussions on governance issues and options for reforms. In 2003 and 2004 Task Force members have participated in a range of regional members’ meetings and donor meetings to widen discussion on the proposed governance reforms.

The Task Force decided to broaden its perspective by inviting certain outstanding individuals who have previously been involved in governance in the Union at various levels to act as its Advisors. The following individuals very generously assisted the work of the Task Force in this capacity.

¹ Governance Task Force report to the IUCN Council, May 29, 2002.

² The Mayr report on the Functions of Council and the Abrougui report follow-up (1998), the Sandbrook report to Council in the lead-up to the Amman Congress (2000), the External Review of IUCN 1999, the Review of Commissions 2000 and the External Review 2003.

³ TORs for the Governance Task Force, Minutes of the 55th Council Meeting, October 2001.

Advisors:

Wolfgang Burhenne
Parvez Hassan
Sir Martin Holdgate
Fred Neubauer
Adrian Phillips
Juan Rada
Richard Sandbrook

donors, and with IUCN members at regional members' meetings held in 2003 and 2004. Recently an article summarising governance reform proposals has been included in the IUCN Bulletin No. 3, 2003 and mailed to all IUCN members.



Principles and Objectives for Good Governance in IUCN

The Task Force has fulfilled its mandate by undertaking a review of best practice experience and literature in governance reform, undertaking a representative multi-stakeholder consultation process that included posting a summary paper on governance reform on the IUCN Website in English, Spanish and French, undertaking interviews with a representative range of members, partners and experts, engaging in dialogues and discussions with the current Council and its respective Committees, with

Based on the expert research and the broad consultation undertaken by the Task Force a benchmark set of principles and objectives for IUCN governance in the 21st Century was established. The principles include integrity, loyalty, accountability, mutual benefit and respect, transparency, subsidiarity and meaningful participation. The objectives of governance for IUCN that were identified

IUCN Governance Structure According to IUCN Statutes



include providing leadership and vision for the Union, ensuring scientific excellence and reputation, ensuring functional clarity among components of IUCN, ensuring strategic decision making to lead the Union, ensuring representation in the governance of the Union to reflect diversity, involving the IUCN membership in the governance of the Union, and sustaining volunteerism.



Council's conclusions on the findings and recommendations of the Governance Task Force

The IUCN Council has concluded that the Task Force has fulfilled its Terms of Reference, and that its work over the past four years has been thorough, professional and appropriate to the needs and governance concerns of the IUCN constituency (members, donors, partners). The methods used by the Task Force have reflected best practice in consultation and analysis of results, the process of the Task Force was transparent and inclusive, and the opportunities for Council and members to discuss and debate the issues and options presented to them regarding governance reform have been numerous.



Four areas of governance reform

At its 60th Meeting in March 2004, Council concluded its deliberations of four years on governance issues and approved governance reforms in four major areas:⁴

1. The World Conservation Congress (WCC) – the cycle, theme, positioning, format and

resolutions process of the World Conservation Congress

2. The IUCN Council – the structure, size, functioning and accountability
3. The IUCN Commissions – the role and accountability of the IUCN Commissions
4. Regional governance – the regional governance of the Union – mechanisms, roles and functions.

A description of the governance reforms in each of these areas is set out in the following text. The specific wording of the Council-proposed amendments to the Statutes, Rules of Procedure and Regulations to enable these reforms can be found in Congress document CGR/3/2004/23.



1. The World Conservation Congress

A consensus emerged from the consultation process of the Governance Task Force, and from the findings of the Evaluation of the Amman World Conservation Congress in 2000, that competing events in the Congress agenda prevented members from engaging effectively in the statutory business of the Union (policy and programme debate and approval, finance issues, governance, resolutions process and elections) and from fully benefiting from networking opportunities with members and partners. In addition, the Task Force received significant feedback on the administrative and organizational burden imposed on members, partners and donors by a World Conservation Congress. The Task Force concluded that significant improvement could be made by having a more predictable cycle for the WCC, a more focused set of themes and more regional events between Congresses.

⁴ For exact wording of Council decisions see the Minutes of the 60th Meeting of Council, March 29–31, 2004.

To address these concerns, the IUCN Council agreed that the WCC should be held in two separate and distinct parts – the World Conservation Forum and the Members' Assembly, and that the WCC will take place on a 4-year cycle, focusing on major IUCN Programme conservation issues. Competing agendas and time constraints brought about by numerous international environmental treaties (COPs, SSBSTAs, Ad hoc Committees and others) make a 4-year cycle more reasonable.

Measures were agreed to rationalize the Resolutions process, making it more effective and efficient through upstream management of motions. The recommended process includes, among other recommendations, requiring sponsors presenting motions concerning a State or States outside of their own region to undertake broad consultation with other members, particularly in the region or regions concerned, before submitting a resolution to the WCC.

In setting the agenda for the WCC, the preparatory committee for the WCC has responded to Task Force recommendations by clearly separating the Conservation Forum from the business meetings of the Union, and by urging the submission of motions 120 days before the WCC. The latter will provide the time required for translation and distribution and enable appropriate consultation to take place prior to the Congress. The preparatory committee will also be separating those motions directed to IUCN and its components (governance, IUCN policy and amendments to the Programme) from those motions directed externally (global policy, species, site and event specific motions).⁵ It is thought that through this process, debate on motions will be more cohesive and productive.



2. Effectiveness of the IUCN Council

The consultation process revealed a range of views on the effectiveness and efficiency of the IUCN Council. Some viewed the Council as being outdated, inefficient and too large for a modern organization, and expressed the opinion that a smaller, more efficient body was needed. Others believed that the Council should remain the same size to reflect the regional diversity of the Union, but that it should greatly improve its effectiveness. Many were of the opinion that Council did not exercise sufficient strategic leadership as a body and that it did not provide adequate guidance and oversight for the Union in key policy areas. Lack of clarity on the 'global' versus 'regional' role of Councillors was also highlighted as a problem.

After considerable debate and reflection on the structure and size of the current Council model, it was agreed that Council should remain the same size as specified in the Statutes, meeting at least once a year. Council agreed however that the Bureau should be expanded and given specific tasks, and that outside of the full Council meeting Committees of Council would meet as needed to consider specific matters of programme and policy, finance and audit, governance, membership and human resources.

Council also agreed to recommend to the incoming Council that enhancing governance capacity for the Union needs to continue, and that the incoming Council should consider whether governance should be the focus of a separate committee of Council or be added to the work of an existing Committee.⁶

Measures aimed at strengthening the performance and functioning of Council would be implemented through the adoption of a Council Handbook and Performance Tools⁷. This handbook has been drafted by the

⁵ Council decisions, 60th Meeting of the IUCN Council, March 29–31, 2004.

⁶ Council decisions, 60th Meeting of the IUCN Council, March 29–31, 2004.

⁷ The Handbook provides Council members with guidance to the effective interpretation and application of the IUCN Statutes, Rules of Procedure and Regulations as these apply to Council members performance.

Governance Task Force and submitted to and approved by Council. It outlines clear roles and responsibilities of Council and Councillors and contains performance support tools for improved reporting and self assessment by Councillors and clearer criteria for their nomination.

The four Vice Presidents usually elected by Council would be given specific responsibilities, including constituting the Nominating Committee for committees of Council and Bureau and assisting the President in managing the work of Council, including synthesizing and reporting on Councillors' Regional reports and self assessments.

In strengthening the Bureau, Council believes that this body should focus on routine business and administrative matters, and such other agenda items as may be assigned to it by Council from time to time. This should leave more time for Council to discuss and debate global conservation issues and provide strategic oversight of the Programme and policy of the Union.

To support the principles of improved transparency and democracy, decisions of the Bureau would be made by a two-thirds majority and reported in full to the Council. All decisions would be transmitted to Council members via electronic mail or facsimile within seven days. If a minimum of five Council members, who have not participated in the decision, object to a Bureau decision within fourteen days the decision would be submitted to the full Council for a vote.

Under the proposed new model, Council would elect a Bureau of nine members: the President as Chair, the Treasurer, four Councillors – taking care to reflect the geographical and other diversity of IUCN, one Commission Chair, and the Chairs of the Programme and Policy Committee and the Finance and Audit Committee. The President and Treasurer would serve on Bureau throughout the term. At mid-term, the four Councillors

would rotate through election of four Councillors from regions not represented in the first half of the term. This would provide an opportunity for all regions to be represented on Bureau during a term of Council. The Commission Chair and the Committee Chairs would be open for re-election or replacement, as may be deemed appropriate by Council.



3. The IUCN Commissions

The Task Force consultation process raised similar governance issues related to the Commissions as those raised in the 1999 External Review of IUCN and the 2000 Review of the IUCN Commissions. The major concerns identified focused on the role of the Commission Chairs who sit on the IUCN Council, their reporting and accountability to both the Council and Congress, and the need for greater synergies between Commissions and the IUCN Programme. These concerns were taken into account in the work of the Governance Task Force and were also recognised by the Commission Chairs.

In 2003 the Commission Chairs and the Director General agreed to convene a working group of the Commissions to directly address these concerns and to submit their recommendations to the Governance Task Force and the Council. Both the Task Force and the Council welcomed this initiative and ultimately endorsed their recommendations.⁸ These included the recognition that there can only be one IUCN Programme within which each of the Commissions will operate.

In March 2004, Council received the quadrennial Review of the IUCN Commissions. Both Council and the Governance Task Force agreed with the recommendation of the Review that the mandates of the Commissions should be

⁸ Complete recommendations can be found in the Report of the Consultative Group on Commissions.

more focused to reflect the specific objectives and anticipated results of the Commissions for each intersessional period.

Accordingly at the 60th Meeting of the IUCN Council the Commission Chairs were requested to revise and re-submit their mandates to clearly reflect their Mission statement, long-term goals, priority areas or themes of work, objectives for the intersessional period, expected results for the intersessional period, structure and organization. These would all be identified within the IUCN Programme, as agreed by the Commissions Consultative process in 2003.

The refocused mandates submitted for approval to the 3rd WCC should provide a more effective measure for Commissions to use in reporting to members at Congress, as well as enabling Congress and Council to more effectively fulfil their oversight responsibility for evaluating the performance of the Commissions.

Council also approved further measures designed to strengthen the transparency and accountability of the Commission Chairs to Council and of the Commissions to Congress. These measures include clarification of the role of the Deputy Chair, a provision that Chairs will refrain from voting on the Commissions Operating Fund, and that the President and each Commission Chair, in the presence of the Director General, shall undertake an annual appraisal of the performance of each Commission and its Chair in relation to the annual work plan and the Intersessional Mandate of each Commission.

Lastly, the need identified by the Governance Task Force for a strategy paper on the future of knowledge networks in IUCN, was also recommended by the report of the Consultative Group on Commissions. This is now being undertaken by the Director General and will be reported to the 3rd WCC.



4. Regional Governance Roles and Structures

The Task Force consultations revealed two areas of concern related to regional governance. First, a lack of rationale and programmatic coherence in some IUCN Statutory regional boundaries (examples cited were West and East Europe, North Africa and West Asia) and issues resulting from the lack of definition of the role that regional structures (Regional Committees and Regional Fora) could potentially play in contributing to the programme and regional governance of the Union.

Given the rapidly changing geopolitical circumstances, the Task Force and Council concluded that changing the legal definition of boundaries at this time would not provide a lasting solution. It appeared more practical to seek non-Statutory solutions to improved working relationships between and among regions by means of inter and intra regional committees and task forces, as currently practiced in the Mediterranean programmatic region.

Council accepted the recommendations of the Task Force with respect to the need for greater definition of the roles that regional committees may play in the Programme and governance of regions. These include⁹ engaging actively in the development of the regional programme; advising on the regional Business Plans and on the implementation of the regional programmes; participating in monitoring and evaluation processes; assisting in the recruitment and engagement of Commission members; adopting regional policies coherent with IUCN policies; advising on motions arising from the region; identifying appropriate qualified candidates for regional Councillors; collaborating in joint fund raising; and managing funds for Regional Committee meetings and activities. Regional

⁹ A comprehensive list of the Functions of Regional Committees may be found in the Minutes of the 59th Meeting of the IUCN Council.

Committees would report to Council on the functions that they carried out.



Ensuring ongoing good governance for the Union

The IUCN Council elected at the Amman WCC in 2000 has acted positively on the recommendations of previous Councils, IUCN members and our donors, as evidenced by the proposed reforms outlined in this paper. It is clear, however, that there will be an ongoing need for the incoming Council to oversee the implementation of the reforms outlined in this paper, and to support the involvement of all components of the Union in delivering better governance for the Union.

Areas that will need additional work by the new IUCN Council include fine-tuning of Council and Bureau reforms. The re-distribution of Regions is a matter that will require considerable consultation and thought and remains an issue for many of our members, particularly in Europe and Africa. Council also recommends to the incoming Council that a full review of the functioning and effectiveness of regional and national committees be undertaken in 2005.¹⁰ This will assist the incoming Council to set benchmarks of practice and to assess the measures that need to be taken to better enable effective regional governance for the Union.



Conclusion

Council is pleased to present to the IUCN members at the 3rd IUCN World Conservation Congress the governance reform measures briefly outlined in this paper. In carefully analysing and debating the work of the Council's Governance Task Force over the last four years, and adopting a substantial body of governance reform

measures for recommendation to the members of the Union, Council has responded to the governance concerns of the members and their constituency of partners and donors, in a meaningful and professional manner.

The process of consultation, debate and discussion on governance issues and reforms has been an arduous, but significant and positive learning experience for members of the Governance Task Force and members of the IUCN Council.

In submitting this report to the WCC, the Council and the Task Force on Governance hope that the IUCN membership will consider the reforms with the same level of importance and urgency as have the Council and Task Force. We invite our members to approve all of the recommended reforms, and we urge the incoming Council to implement them fully. In doing so, we believe significant progress will have been made towards achieving more effective and efficient governance and IUCN will be better equipped to meet the challenges of our time.

¹⁰ Council decision, 60th Meeting of the IUCN Council, March 29-31, 2004.