



IUCN Council

Work Group on

WCC-2016-Res-003 - Including regional governments in the structure of the Union

Terms of Reference 2017-2020

(Approved by the IUCN Council at its 94th Meeting)

Background

1. The issue of local government membership was considered at the 18th Session of the General Assembly in Perth, Australia 1990; and at the First Session of the World Conservation Congress in Montreal, Canada 1996. On both occasions, proposals for amendments of the Statutes to allow local and regional governments to become Members were soundly rejected by the IUCN membership.
2. In 2002, Council Decision C/57/26 requested the Governance Task Force to further review the possibility of including local or subnational government organizations as Members of IUCN. In 2004, Council on the recommendation of the Membership Committee and based on legal advice noted that environmental agencies of local government bodies were eligible for admission under membership Category A (a) - Government Agencies, and decided not to propose a statutory change concerning local government membership at this time (decision C/60/47).
3. In 2008, the World Conservation Congress [Resolution 4.008](#) requested Council to seek legal and technical advice on how local and regional authorities might be included in the structure of the Union and to make recommendations to the 5th Session of the World Conservation Congress for reform of the IUCN Statutes, as appropriate. After a period of consultations (2009-2010) and given the diversity of views represented, Council undertook an additional round of consultation with the IUCN membership during the Regional Conservation Fora (May to October 2011) where all IUCN Members were invited to discuss three options for including local government membership. After this consultation and further deliberation, [Council decided to submit two options for the consideration of the 2012 World Conservation Congress](#) in Jeju. Both options failed to obtain the required 2/3 majority¹. The World Conservation Congress rejected both the clarification of the status quo (option 2) and the proposed change (option 1). The IUCN Council 2012-16 subsequently considered it justified to continue to study this issue including whether to make recommendations to the next Congress.
4. In 2015, Council, upon recommendation of the Governance and Constituency Committee (GCC) and Council document C/85/5.3.1.2.1.3, agreed to consult the IUCN membership online and during all the Regional Conservation Fora held in 2015 on the two options for including LRGA in the structure of IUCN which failed to achieve the required 2/3 majority during the 2012 Congress. In 2016, [a motion submitted to the 2016 WCC by five Government Agency Members](#), to amend the Statutes to include local and regional government authorities in the structure of the Union led to the cessation of any further consideration of this topic by Council. The motion in its original version, which proposed to amend the Statutes creating a new sub-Category in Category A called "local or regional governmental authorities" exercising collectively one vote, was [amended by the contact group](#) to apply only to regional governments which together with Government Agency Members of the State concerned would constitute a sub-Category in Category A and would together exercise one vote. This motion was voted

¹ Voting result for option 1: 65.81% for versus 34.19% against in Cat. A and 68.29% for versus 31.71% against in Cat. B. Option 2: 65.66% for versus 34.34% in Cat. A and 74.16% versus 25.84% in Cat. B.

down by both Categories A and B and by a greater number of Members than at the previous Congress². Instead, Congress approved WCC-2016-Res-003³:

WCC-2016-Res-003: Including regional governments in the structure of the Union

The World Conservation Congress, at its session in Hawai'i, United States of America, 1-10 September 2016: REQUESTS the IUCN Council to establish a Working Group composed of Councillors and Members on the role and membership of local and regional governments in IUCN, including the wider engagement among IUCN members and other Parties in order to analyze the need and effects, develop a clear definition of regional government, and formulate a comprehensive and well considered new recommendation for the next Congress.

5. At its meeting in February 2017, the IUCN Council adopted a series of measures to implement the resolutions adopted by WCC-2016 and requested its Governance and Constituency Committee to take the lead on resolution WCC-2016-Res-003. In this way, the pre-Working Group on including regional governments in the structure of the Union was created during the meeting, whose members⁴ developed the present ToR and guidance for the work of the Working Group required by WCC-2016-Res-003.

Objective

6. The objective of the Working Group is to through an inclusive engagement process formulate a comprehensive and well considered recommendation for the next Congress on the definition and possible inclusion of local and regional governments in the structure of the Union. The recommendation should be based on a thorough analysis of the needs and effects of inclusion while taking into consideration all previous work that has been done in this regard in IUCN and in accordance with the request provided by the Members' Assembly in WCC-2016-Res-003.

Functions

7. Establish and implement a Work Plan for:
- Developing a clear definition of regional and local governments in the context of Resolution 003, considering the diversity of governance structures globally.
 - Analyze the needs and effects of the inclusion of local and regional governments for IUCN, at a broad level including for the effectiveness of IUCN mandate, finance, governance and programme delivery.
 - Identify and elaborate the best option(s) for possible inclusion of local and regional governments into the structure of the Union while taking into consideration the previous debates/ discussions and good approaches from within the Union.
 - Analyze the effects of the different options of the possible inclusion of local and regional governments on IUCN.
 - Formulate a comprehensive and well considered new recommendation for Council approval.

Modus Operandi

8. Following the sequence of steps detailed in the "Functions" section, Working Group members will primarily implement their work through e-mail and conference calls.

² Voting result: 34.56% for versus 65.44% against in Cat. A and 38.73% for versus 61.27% against in Cat. B.

³ Voting result: 83.47% for versus 16.53% against in Cat. A and 84.53% for versus 15.47% against in Cat. B.

⁴ Norbert Baerlocher, Jesca Osuna Eriyo, Mangal Man Shakya, Shaikha Salem Al Dhaheri, Hilde Eggermont, Tamar Pataridze, Jan Olov Westerberg and Jenny Gruenberger, with support from the IUCN Secretariat.

9. The Working Group will be assisted by the Global Director of the Union Development Group, as requested, who will provide administrative and technical support within the available budget.
10. Once the Working Group has agreed on the options and these are approved by Council, the Working Group will decide on the process to be used in order to reach consensus, building on previous good practices (e.g. consultation with the membership at Regional Conservation Fora).
11. Feedback received from the Members will be consolidated by the Working Group and reported back to Council for endorsement.
12. The Working Group will report on its progress to the GCC every six months (including at each meeting of the Council) and deliver a final recommendation to Council in time for its presentation and consideration at the 2020 Congress taking into account statutory deadlines for Congress documents and/or proposals to amend the Statutes, as the case may be.

Composition

13. The Working Group should not exceed 20 members, and be composed of:
 - a. Up to five Council members (incl. the Working Group Chair), with proper understanding of the variety of States;
 - b. One legal expert from WCEL; and one expert from another Commission;
 - c. Up to five State members across the different Statutory Regions;
 - d. Up to three representatives of existing local and regional government agency Members of IUCN;
 - e. Up to three other interested parties associated with IUCN with relevant knowledge and experience in the role of local and regional governments in conservation of nature.
 - f. Two support persons from the IUCN Secretariat who will be ex-officio members of the WG ;
14. The Working Group should include a wide spectrum of opinions and include individuals with technical knowledge on this issue.

Duration

15. The Working Group will be in force until it delivers a final recommendation to Council in time for its presentation and consideration at the 2020 Congress.

Membership of the Working Group referred to in WCC-2016-Res-003

Approved by the IUCN Council validating decision B/IX of its Bureau dated 20 September 2018,
updated 23 November 2018

Members of the IUCN Council
Amran Hamzah (Malaysia) - Chair of the Working Group
Shaikha Salem Al Dhaheri (UAE)
Carlos Durigan (Brazil)
IUCN Commissions
Prof Michel Prieur, World Commission on Environmental Law (France)
Madhav Karki, Commission on Ecosystem Management (Nepal)
IUCN Secretariat
Luc Bas, Regional Director Europe (EURO)
George Akwah-Neba, Program Coordinator, West and Central Africa (PACO)
State Members
Dr. Thuraya Said AL-Sareeria, Assistant Director General for Nature Conservation, Ministry of Environment & Climate Affairs, Oman
Eng. Read Bani Hani, Director of Nature Protection Directorate, Ministry of Environment, Jordan
Dr. Ángel Onofa, Dirección Nacional de Biodiversidad, Subsecretaría de Patrimonio Natural, Ministerio del Ambiente, Ecuador ¹
Marcelo d'Almeida, Ministry of Foreign Affairs, Guinea Bissau
Local and regional Government Agency Members of IUCN
KIM Yang Bo, Director General of Environmental Conservation Bureau, Jeju Special Self-governing Province, Republic of Korea
Juan Francisco Muños Muños, Oficina de Coordinacion de Asuntos Europeos y Cooperacion Internacional, Consejería de Medio Ambiente y Ordenacion el Territorio, Junta de Andalucía (Regional Ministry of Environment and Land Planning, Government of Andalusia), Spain
Other interested parties
Kobie Brand, Global Director of ICLEI's Cities Biodiversity Center, Regional Director ICLEI Africa
Deborah Hahn, International Relations Director, Association of Fish and Wildlife Agencies, United States
Fernando Ardura, Director Ejecutivo, Fundacion Habitat y Desarrollo, South America, Argentina

¹ Replacing Mr Carlos Alomía, Ministerio de Relaciones Exteriores y Movilidad Humana, Ecuador from 23 November 2018 onwards