

Management response to “External Evaluation of Aspects of IUCN’s Governance”, Final Report, Universalialia, November 2015

Approved by the IUCN Council during its 88th meeting, April 2016, decision C/88/7

Context

IUCN’s governance structure is composed of a Council of 33 members, with subsets made up of Standing Committees, a Bureau and temporary working groups and task forces.

IUCN’s Governance”. On the basis of over 50 interviews, both IUCN and external sources or documents, and a list of 6 Recommendations.

The IUCN Council warmly welcomed Universalialia’s findings and very useful recommendations. The Co-Chair, Charles Lusthaus, for his professional and thorough approach to IUCN’s governance. The report constituted a major milestone for the IUCN Council leading to an impressive package of recommendations. The Council hopes to have demonstrated its ability to effectively implement its role to set strategic direction.

The governance reform process described in the report, however, yet does not correspond to each one individual’s needs. In order to conduct a thorough set of reforms, the following instances: the 87th

87th Council meeting in Hainan, China (October 2015); the Governance Task Force (January 2016); the 66th Bureau meeting (February 2016) and the 88th Council Meeting (April 2016).

Hainan Council

At its 87th meeting, in Hainan, China, from 18 to 21 October 2015, the Council discussed a draft of the report, and analysed it in a dedicated “retreat” session with 5 breakout groups, after receiving a briefing by the main author of the report, Charles Lusthaus, of Universalialia.

The GTF was to be established in January 2016.

The list of GTF members was to be determined and to include both

1st term and 2nd term Councillors. The GTF was composed of: Andrew

clarifying Council's accountability for setting strategic direction and priorities for the Union including the draft quadrennial Programme for submission to Congress, and the adoption of the annual work plan
Council oversight of activities and performance of the Union, including Secretariat and Commissions and monitoring One Programme implementation
adapting the Council policy on evaluation of the Director General
Council oversight of external reviews.

4. Transparency and Independence of Council. Including recommendations he (i)2.6(ew l)2a77901

Council for approval following consultation with Council members, decided not to follow the recommendations regarding the direct election of Bureau members by Council.

x Delegation from Council to Bureau and/or Standing Committees

The principle of delegation of Council responsibility on specific matters is endorsed as well as the concept of final decision for Bureau (removing Council's 'v

Decision C/88/7 of the IUCN Council, 88th Meeting, 11- 13 April 2016

The IUCN Council,

1. *On the recommendation of* the Bureau of the IUCN Council (decision B/67/2) which was based on the recommendations of Council's Governance Task Force established pursuant to Council decision C/87/29 (October 2015);
2. *Noting* that the Bureau decided to apply a small number of enhanced practices and reforms with immediate effect, on a pilot basis, in order to enable their testing and allow Council at its 88th meeting to focus on the substantive issues it must decide for the Hawai'i Congress and on the enhanced practices and reforms of IUCN's governance for the medium and long-term;
3. Approves the enhanced practices and reforms of IUCN's governance; (Annex 2)
4. Decides to modify the Council Handbook to reflect the enhanced practices and reforms of ()Tj BMC /Span <</MCID 18 >>BDC -0.09-6(c)-2(e/2Ty)8.8-17.4(y)8.8g EMC/ Tf 0 Tc 0 Tw 26

Enhanced practices and reforms of IUCN's governance

Approved by the IUCN Council during its 88th Meeting, April 2016, decision C/88/7

A. Council structure, size and composition

Council Qualifications, Skills and Knowledge	Timing ¹
<p>A1.1. Define the gaps in qualifications, skills and knowledge to be filled such as strategic communications, fundraising, finance, information technology, and reach and influence into international finance, business and economic sectors.</p> <p>A1.2. Strengthen the qualifications of elected Councillors through: 1. Early notice to the IUCN membership of the qualifications, skills and knowledge required for the next election; 2. Stronger list of qualifications in the call for nominations for all Council positions including filling gaps needed by Council.</p> <p>A1.3. a) Use the possibility to include external individuals in Council committees, working groups and task forces in order to bring in needed skills and knowledge as provided for in Regulations 59 and 60. b) Use the possibility to invite these individuals to participate as observers with the right to speak in the Council plenary. (See also D1.4 hereafter)</p> <p>A1.4 Strengthen capacities and knowledge of IUCN for newly elected Councillors</p>	MT
Strengthening Global Representation	
<p>A2. The next "Call for nominations" (for the elections at the 2020 Congress) provides guidance to IUCN Members encouraging them to nominate for each Region at least one more candidate than the number of seats allocated for the Region concerned in Article 39 of the Statutes. The purpose is to provide the global membership with real respectively, the Vice-Presidents, the Chairs of the standing committees of the Council and</p>	
the Regional Councillors members of the Bureau may be appointed by consensus decision	MT

¹ (ST) = Short-Term - enhanced business practice for immediate implementation as per decision B/66/2 of the Bureau of the IUCN Council of 19 February 2016; (MT) = Medium Term – requires change in the Regulations or the Council Handbook as decided by Council in April 2016; (LT) = Long-Term – requires modification of the Statutes or directions from the membership, and thus to be decided by the Members' Assembly in Hawai'i (September 2016).

of the Council on the proposal of the President following consultation with Council members.	
Delegation to Bureau	
<p>A3.2. In order to enlarge the range of issues on which the Bureau could act upon with the view to empowering the Council to effectively discharge its strategic direction and oversight functions, Regulation 57 and the Rules of Procedure of the Bureau (Annex IV to the Council Handbook) will be amended to assign additional functions to the Bureau. The list of functions presented in the middle column (yellow colour) of the table attached hereafter as <u>Annex 2</u> will be annexed to the revised Rules of Procedure of the Bureau and may be reviewed and amended by Council from time to time as required. In the spirit of Article 49 of the Statutes, which requires that the Bureau “shall act on behalf, and under the authority of the Council between meetings of the Council”, all decisions of the Bureau will continue to be subject to the Council’s validation through a no-objection procedure in accordance with existing Regulation 58.</p> <p>[The above reforms (A3.2) respond to recommendation 4 of the Universalia report]</p>	MT
Commission Chair Accountability	
A4.1 Clarify in the Regulations that the <u>Commission Chairs</u> report to the President (not the Council itself, as Commission Chairs are part of the Council).	MT
A4.2. Clarify in the Regulations that between sessions of the Congress the <u>Commissions</u> report to the Council through the Commission Chairs	MT
A4.3. Better oversight by Council of the work of the Commissions through strengthened annual performance reporting by the Chairs to the Council on outputs, outcomes, impact and resources raised against the Commission’s work plan approved at the beginning of each term. This is to be integrated into the overall Union monitoring and reporting framework. (See C1.)	MT
A4.4. Strengthen the annual performance evaluation of each Commission Chair to be conducted by the President in the presence of the Director General.	MT
A4.5 Conduct once a year a session of Council, with the Director General, to discuss the performance of the Commissions .	MT
[The above reforms (A4) respond to recommendation 3 of the Universalia report]	

existing Commissions and broader renewal of Commissions or other network mechanisms to meet the knowledge generation, expert and Programme delivery needs of the Union. These will have to be done well before the date fixed for filing nominations for Commission Chairs, and possibly mid-way into the 4 year inter-sessional period.	
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B. Effective Functioning of Council

Council Strategic Priorities	Timing
B1. Council to develop and approve strategic objectives and priorities for its work, to be adopted at the latest at the second meeting of the Council of the term, together with a 4-year work plan and a proper monitoring mechanism to be reviewed and adjusted, as required, on an annual basis.	MT
Council Procedures and Methods	
B2.1. Agenda preparation for each Council meeting starts with strategic guidance and priority setting by Council at the end of the previous meeting and subsequently involves the Chairs of the subsidiary bodies of the Council. The President and Director General finalize the draft agenda for Council approval. The agenda indicates (with a colour code) which items constitute strategic direction, oversight or fiduciary responsibility of Council.	ST/ MT
B2.2. The mode of Council and subsidiary body meetings/work should go beyond the face-to-face meetings and involve more and improved means for online communication and meetings of smaller groups (with the cost-effectiveness properly analysed).	MT
B2.3. Apply a diverse range of meeting methods leading to strategic decision -making and adequately support the Chair (President, Vice-Presidents). [The above reforms (B.2.1 & B.2.2) respond to recommendation 4 of the Universalia report]	MT
Council Secretary	
B2.4. Appoint and formalize in the Regulations the function of 'Secretary to Council'. This function provides independent advice and support to the President and Council. Give the Council Secretary the authority to ensure that Council adheres to the provisions in the Statutes and Regulations related to Council. The purpose is to specify in the Regulations that the Senior Governance Manager has the responsibility to service the Council. Following the retirement of the current incumbent, the Director General will appoint the Secretary to Council after consulting the Council and the President with regard to the proposed candidate.	MT
Committees, Working Groups, Task Forces – Types, Delegation and Reporting	
B3.1. Clarify the nomenclature regarding Council subsidiaries as follows: i) standing committees formed by Council are called Committees; ii) limited-life bodies formed by Council are Working Groups and submit their report with draft decisions for approval by the Council or the Bureau; iii) limited life bodies formed by a Council Committee are Task Forces and submit their report with draft decisions for approval by the Committee. The membership of the Committees, Working Groups and Task Forces may be drawn from both within IUCN and outside IUCN in accordance with Regulations 59 and 60.	MT

B3.2. In order to clarify the role of Committees, the Terms of Reference of the Committees will be amended to assign and delegate specific functions for which the Committees are given responsibility . The list of functions for which the Committees have responsibility and may propose decisions is presented in the right hand column (green colour) of the table attached hereafter as Annex 2. As with any delegated authority, the Council can always withdraw or modify that delegation.

B3.3. Amend the Statutes in order to make the Governance and Constituency Committee mandatory

				quadrennium
Congress Resolutions and Recommendations	Implementation Status Report	PPC annually Council end of Quad.	DG	Annually and at the end of quadrennium
Annual Work / Business Plan	Programmes & Projects Status Report	PPC and FAC then Council	DG	Semi-annually (PPC/FAC) Annually (Council)
DG Annual Objectives (process specified in C5-C7)	Objectives	Council / President	N/A	Annually
Annual Budget	Management Accounts - quarterly			



ANNEX 2:

Proposed scheme of distribution of responsibilities between the Council, the Bureau, the Council's Standing Committees (FAC, GCC, PPC) and the Congress Preparatory Committee (CPC).

Council		Bureau		Standing Committee (GCC, PPC , FAC or CPC)		
Responsibility	Article	Responsibility	Article	Responsibility	Article	Com mittee
Admitting new IUCN Members where there are objections	Stat 6, Reg 8, 18	Determining dates and venue				

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Council		Bureau		Standing Committee (GCC, PPC , FAC or CPC)		
Responsibility	Article	Responsibility	Article	Responsibility	Article	Com mittee
		Committees	73, 73bis	of IUCN by any National or Regional Committee		
Appointing and evaluating work of DG	Stat 46j, 79a	Appointing the Legal Advisor	Stat 46n Reg 45d, 87	Obtaining legal status in countries	Stat 98	FAC
Nominating candidates for President, Treasurer and Commission Chairs	Stat 46k Reg 32, 33, 34, 35	Appointing the Election Officer	Stat 46p; Rule 15, 20, 74 Reg 28, 29	Authorizing and scheduling time		

Council		Bureau	Standing Committee (GCC, PPC , FAC or CPC)
Responsibility	Article	Responsibility	

Council		Bureau		Standing Committee (GCC, PPC , FAC or CPC)		
Responsibility	Article	Responsibility	Article	Responsibility	Article	Com mittee
				unrestricted funds for special purposes not foreseen in the financial plan		
Provide strategic direction in relation to the development of, and approve the Quadrennial draft IUCN Programme	Statute 88e and add new 46 (c)bis					

Council		Bureau		Standing Committee (GCC, PPC , FAC or CPC)		
Responsibility	Article	Responsibility	Article	Responsibility	Article	Com mittee
Recommending candidates for Patrons	Reg 42					
Adopting and amending the Council Handbook and Performance Tools	Reg 48bis					
Challenging the Chair's rulings on points of order	Reg 51					
Receiving and amending the minutes of Council meetings	Reg 52					

Proposed amendments to the IUCN Regulations

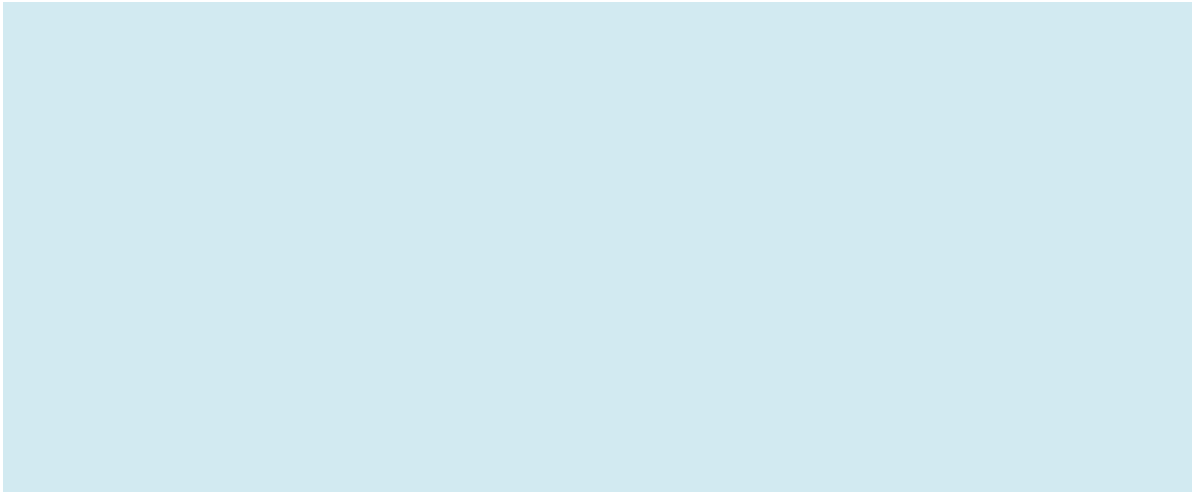
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Existing provisions of the Regulations	Amendments (with track changes) proposed by Council	Proposed new text of as amended (all track changes 'accepted')
Part V – The Council	Part V – The Council Insert a new subtitle and provision as follows: <u>Council's strategic objectives and priorities</u> <u>Regulation 44bis</u> <u>At the latest at the second ordinary meeting following the World Conservation Congress, the Council shall approve strategic objectives and priorities for its work, together with a work plan and a proper monitoring mechanism to be reviewed and adjusted, as required, on an annual basis.</u>	Part V – The Council <u>Council's strategic objectives and priorities</u> Regulation 44bis At the latest at the second ordinary meeting following the World Conservation Congress, the Council shall approve strategic objectives and priorities for its work, together with a work plan and a proper monitoring mechanism to be reviewed and adjusted, as required, on an annual basis.
<u>Duties of Council Members</u>	<u>Duties of Council Members</u>	<u>Duties of Council Members</u>
[...]	[...]	[...]
Insert a new provision (v) in Regulation 48 (c): Regulation 48	Insert a new provision (v) in Regulation 48 (c): Regulation 48	Insert a new provision (v) in Regulation 48 (c): Regulation 48
[...]	[...]	[...]
(c) Consistent with all the duties assigned to them under the Statutes, Rules of Procedure and Regulations of IUCN, the Vice-Presidents shall:	(c) Consistent with all the duties assigned to them under the Statutes, Rules of Procedure and Regulations of IUCN, the Vice-Presidents shall:	(c) Consistent with all the duties assigned to them under the Statutes, Rules of Procedure and Regulations of IUCN, the Vice-Presidents shall:
[...]	[...]	[...]

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(v) together with the President, constitute
the evaluation committee of the Director
General.

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<p>Commissions Operation Fund.</p> <p>(c) 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 mandate of that Commission.</p>	<p><u>proposal</u> on the Commission Operation Fund <u>for their respective Commission</u>, refrain from participating in the <u>subsequent discussion</u>, <u>unless the President rules otherwise</u>, and <u>recuse themselves from voting on this matter</u>. <u>The same protocol will be followed for the Council decisions concerning approval of draft Commission mandates</u>.</p> <p>(c) <u>The Commission Chairs are accountable to the President</u>. 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 mandate of that Commission.</p>	<p>Operation Fund for their respective Commission, refrain from participating in the subsequent discussion, unless the President rules otherwise, and recuse her or himself from voting on the matter. The same protocol will be followed for the Council decisions concerning approval of draft Commission mandates.</p> <p>(c) The Commission Chairs are accountable to the President. The President, in the presence of the Director General, shall undertake an annual appraisal of the performance of each Commission Chair in relation to the annual work plan and the mandate of that Commission.</p>
	<p>Insert a new provision:</p> <p><u>Regulation 78bis</u></p> <p><u>The Commissions are accountable to the Council between sessions of the Congress. In line with Article 77 of the Statutes, the Commissions through the Chairs present an annual report to the Council on outputs, outcomes, impact and resources raised against the Commission's work plan approved by Council at the beginning of each term.</u></p>	<p>Regulation 78bis</p> <p>The Commissions are accountable to the Council between sessions of the Congress. In line with Article 77 of the Statutes, the Commissions through the Chairs present an annual report to the Council on outputs, outcomes, impact and resources raised against the Commission's work plan approved by Council at the beginning of each term.</p>

Strategic Planning and Reporting Framework

Approved by the IUCN Council, 88th Meeting, April 2016, decision C/88/7

As requested by the Bureau of Council ¹, the Secretariat has reviewed the proposed Strategic Planning and Reporting Framework and produced an annotated table (Annex 1 hereafter) showing which reports are currently available, which are under development and where further discussion is warranted.

Based on ongoing planning, monitoring and reporting work, the Secretariat will refine interessional and annual planning and reporting (programme and financial) to better emphasize results and impact while demonstrating implementation and progress against the Sustainable Development Goals. Reporting on the One Programme Charter will aim to show Members' contribution to the IUCN Programme and implementation of the Resolutions and Recommendations.

Starting in 2017, the Programme and Project Portal will be the IT solution for project planning, management and reporting. The Portal will deliver a comprehensive portfolio monitoring platform, which will track delivery, compliance, results and expenditures. Results as position's IUCN as a key leader for a significant portion of the SDGs. This will allow IUCN to draw on publicly available datasets to demonstrate its contribution to the SDGs

New planning and reporting work has started in the areas of DG's objectives, the Council

Annex 1: Annotated Strategic Planning and Reporting Framework

Council requirement	Report	Type	Delegated authority	Focal point	Frequency	Status	Additional work required
Intersessional (quadrennial) Programme	Intersessional Programme	Planning document	Council	DG	Every four years	Normally produced every four years	Increased emphasis on results & impact, alignment with SDGs, use of Project Portal
	Outputs, (results) and Impact report	Monitoring & reporting document	Council	DG	Every four years	Normally produced in DG report to WCC	Increased emphasis on results & impact, alignment with SDGs, use of Project Portal
Commission planning and reporting	Commissions' workplans	Planning document	PPC, then Council	Commission Chairs	Annually and every four years	Normally produced annually and every four years (often jointly with Secretariat)	Refinement of planning tools to meet Commission needs
	Output, (result) and Impact	Monitoring & reporting document	PPC, then Council	Commission Chairs	Annually and every four years	Normally produced annually	Align Commission Reports in Council to annual reports

Congress
Resolutions and

Charter						Programme engagement included in Annual workplan	the Project Portal
	Strength of the Union indicators	Monitoring & reporting document	Council	DG	Annual	Normally, included in Annual Report to Council by the Secretariat	Refine One Programme Indicators; enable reporting by Members through Portal
Evaluations	Report on Evaluations	Monitoring & reporting document	Council and DG	Head, PM&E	Annual	Normally produced annually or on demand	Clarify reporting expectations

Other organizational planning and reporting

Council requirement	Report	Type	Delegated authority	Focal point	Frequency	Status	Additional work required
DG's Performance	DG's annual objectives	Planning document	Council	DG	Annual	Starting in 2016	
	Report on DG's annual objectives	Monitoring & reporting document	Council	DG	Annual	Starting in 2017	
Council planning and reporting	Council quadrennial workplan	Planning document	Council	Council	Annual	Starting in 2017 at first Council meeting	Produce a workplan
	Key tasks reporting	Monitoring & reporting document	Council	Council	Annual	Starting in 2018	Assign responsibility for tracking and coordinating preparation of a report
Strategic risk	Strategic risk matrix (in DG's report to Council)	Planning document + Monitoring & reporting document	Council	DG	Annual	Starting in 2016	TBD
Risk Register	Risk register & updates	Planning document + Monitoring & reporting document	FAC, Council	Head, Oversight	Twice per year	Normally produced	Identify top 10-15 risks

The IUCN Council's Policy on Transparency

Approved by the IUCN Council at its 73rd meeting (decision C/73/15¹, November 2009), modified at its 83rd meeting (C/83/9, May 2014) and at its 88th meeting (C/88/7, April 2016)

1. The work of the Council shall be conducted with transparency, where information is made freely and proactively available to IUCN Members, and to its stakeholders and the public, with specific exceptions clearly articulated below. Supported by relevant Resolutions of the IUCN World Conservation Congress², the IUCN Council recognizes that transparency and accountability are of fundamental importance to achieving IUCN's mission which is "to influence, encourage and assist societies throughout the world to conserve the integrity and diversity of nature and to ensure that any use of natural resources is equitable and ecologically sustainable", and are critical for enhancing good governance.

At the same time, the IUCN Council endeavors to strike an appropriate balance between, on the one hand, the need to ensure transparency and, on the other hand, the need to preserve the integrity of its own deliberative processes by facilitating and safeguarding the free and candid exchange of ideas among its members, and to protect the confidentiality of certain information.

2. In accordance with this necessary balance, the IUCN Council's Transparency policy is based on the following Principles:

- x Maximizing access to information
- x Setting out a clear list of exceptions to safeguard the deliberative process and protect certain confidential information
- x Providing clear procedures for making information available.

3. The Policy

The IUCN Council allows access to all information pertaining to its work or that of its Bureau, provided it does not fall under the list of exceptions (Hereafter in Point 4).

4. The Exceptions

- (a) Deliberative information: the IUCN Council, like any board, needs space to consider and debate, away from public scrutiny. It generally operates by consensus, and it needs room to develop that consensus. During the process it seeks, and takes into account, the input of many stakeholders; but it must preserve the integrity of its own deliberative processes by facilitating and safeguarding the free and candid exchange of ideas among its members.

Therefore, the IUCN Council does not provide access to:

- x Information including emails, notes, letters, draft reports, or other documents exchanged during the course of its deliberations and that of its Bureau,

¹ Follow-up to paragraph 1 (b) of [Resolution 4.009](#) of the 2008 IUCN World Conservation Congress.

² [Resolution 3.002](#) of the 2004 IUCN World Conservation Congress; [Resolution 4.009](#) of the 2008 IUCN World Conservation Congress.

committees, working groups and task forces to the extent this information is not included in official Council/Bureau documents bearing the IUCN Council/Bureau document code;

- x Financial information and other corporate administrative matters prepared for, or exchanged during the course of the deliberations of the IUCN Council's Finance and Audit Committee to the extent this information is not included in official Council documents;
- x Information subject to attorney-client privilege such as the reports and legal opinions of the IUCN Legal Adviser and the reporttttttrepag ttansl doc AtorCnotn63 [(not)-6.6(

The Draft Agendas of Council meetings will be made available in the three official languages of IUCN. The other documents listed above will be made available in the language in which they have been submitted to the Council.

8. Information that is publicly available under this Policy and is not on IUCN's public website will be made available upon request. Requests must be made by email to the IUCN Secretariat (membership@iucn.org) and specify the titles or document codes of the document(s) concerned. Documents (in pdf format) will only be communicated by email.

decisions of the Council e.g. to approve an updated Planning and Reporting Framework and revised Transparency Policy of Council. The decisions of the 88th Council meeting (April 2016) in this regard can be viewed [here](#).

3. The IUCN Council will report with more detail on the scope and expected results of these reforms in its Report to the 2016 World Conservation Congress: see Congress document WCC-2016-1.5/1.

Amendment to Article 46 of the IUCN Statutes

4. One of the main instruments for the IUCN Council to set strategic direction for the Union is through the development of the IUCN Programme for the following 4-year term.

The current IUCN Statutes define as one of the functions of the Congress “to consider and approve the programme and financial plan for the period until the next ordinary session of the World Congress” [Article 20 (e)] and further that the “Director General shall [...] submit to each ordinary session of the World Congress for approval, a draft programme and financial plan for the period until the next ordinary session of the World Congress, together with the comments of the Treasurer and the Council”. [Article 88 (e)]

At least since the last term, the IUCN Council has, through its Policy and Programme Committee, engaged early and played a lead role in shaping the development of the quadrennial IUCN Programme, working together with the Secretariat in providing a first draft for the IUCN Programme of the next term for consultation with all IUCN Members online and through the Regional Conservation Forums, and taking Members’ input into account, and deciding on the final draft to be forwarded to the Congress for adoption. From the next term onwards, the IUCN Council will begin with a full ‘strategy session’ midway through the quadrennium, i.e. in 2018, in order to agree priorities and develop a first draft that enables Council to set strategic priorities for the draft Programme for the next quadrennium.

In line with the current practice and in order to consolidate Council’s role to set strategic direction with regard to the IUCN Programme, it is proposed to include it explicitly in Article 46 of the Statutes which defines the functions of the Council.