

IUCN's encounter with 007: safeguarding consensus for conservation

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Abstract A controversy at the 2016 IUCN World Conservation Congress on the topic of closing domestic ivory markets (the 007, or so-called James Bond, motion) has given rise to a debate on IUCN's value proposition. A cross-section of authors who are engaged in IUCN but not employed by the organization, and with diverse perspectives and opinions, here argue for the importance of safeguarding and strengthening the unique technical and

convening roles of IUCN, providing examples of what has and has not worked. Recommendations for protecting and enhancing IUCN's contribution to global conservation debates and policy formulation are given.

Keywords CITES, convening, independent science, IUCN, IUCN Red List, Key Biodiversity Areas, Protected Planet, World Heritage Convention

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IUCN and the 007 motion

At the IUCN World Conservation Congress in Honolulu, in September 2016, the IUCN Members adopted Motion 007 (which became known as the James Bond motion; IUCN, 2016a) calling for the closure of all domestic ivory markets. This motion was adopted by a large majority, but with strong opposition from some Members that had a large stake in its potential impact. The process to adopt this motion was unusual for IUCN because the contact group (i.e. the group that carried out the detailed negotiations to bring new agreed wording to the plenary) did not reach consensus or near-consensus. Consequently, some have suggested that IUCN is moving away from a consensus-building approach that provides a broad tent for the conservation movement towards an adversarial parliament in which a simple majority prevails. This article is authored by people with divergent views on the merits and demerits of closing all domestic ivory markets, but we are aligned in our concern that the adoption process for this motion was particularly adversarial. If this were to become a common feature of IUCN debates it could jeopardize the unique contributions that the organization brings to conservation. We explore examples of IUCN functioning well in terms of both its scientific and policy work, and seek to draw relevant lessons.

What is IUCN?

Founded in 1948, IUCN's vision is 'a just world that values and conserves nature', and its mission 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'. Uniquely in the conservation world, IUCN is a union in which governments and civil society have equal footing in the organization's governance. The governments and NGOs that comprise IUCN meet every 4 years in the World Conservation Congress. IUCN has six Commissions of largely voluntary experts charged with providing independent scientific information, advice and evidence to support the work of IUCN, its Members, and other stakeholders. The current Commissions are the Commission on Ecosystem Management, the Commission on Education and Communication, the Commission on Environmental, Economic and Social Policy, the Species Survival Commission, the World Commission on Environmental Law, and the World Commission on Protected Areas. Neither the Commissions nor their individual members have votes in the World Conservation Congress. As of September 2017, IUCN had 1,393 government and NGO Members in > 170 countries, and > 16,000 Commission members. IUCN is supported by a Secretariat of 950 paid staff, 130 of which are based at the organization's

Swiss headquarters, with the remainder stationed in > 50 locations globally. IUCN is the only environmental organization with a permanent seat as a United Nations General Assembly Observer, where it is the de facto voice for nature.

IUCN's structure facilitates blending of the nimbleness, creativity and expertise of NGOs with the authority and formal decision-making powers of governments, providing great benefits to one another. NGOs gain policy influence and access, and governments become aware of emerging and important conservation issues and unique expertise. IUCN is therefore distinctively different from intergovernmental processes (e.g. United Nations Environment, the Global Environment Facility, or international treaties) and NGO federations (e.g. BirdLife International or WWF). Many would agree that IUCN functions as the global convenor of the conservation movement.

The IUCN World Conservation Congress has adopted > 1,000 motions since 1950. Motions (which are normally proposed by IUCN Members or Council well in advance of each Congress) require a simple majority (> 50% support) of both voting governments and voting NGOs. Once adopted, motions become either Resolutions (directed to IUCN itself) or Recommendations (directed to third parties). Although > 50% in both houses (government and NGOs) is sufficient to adopt motions, in practice IUCN Members usually strive to get as close as possible to consensus, and for one clear reason: the value of IUCN Resolutions and Recommendations is that they represent a common, considered, negotiated view of the global conservation community. Motions passed by simple majorities against strong opposition, although legally valid, in practice lack legitimacy and authority, especially with dissenting parties.

Concern has been raised about the level of impact of IUCN Resolutions. IUCN has reviewed this (IUCN, 2012a, 2014a), identifying both successes and failures, and consequently enacted reforms to the process in 2016. Our own experience is that at least those IUCN Resolutions that establish global policies and guidelines have been widely adopted by the conservation community and have had significant impact.

IUCN's roles

IUCN has developed a strong reputation for two roles in particular: (1) the quality of its independent science and of the knowledge that it provides, and (2) its ability to convene the conservation movement to address topical, complex and sometimes controversial issues. Here we term the first of these IUCN's technical role, and the second IUCN's convening role. IUCN builds on and goes beyond these two roles (e.g. evidence-based advocacy, capacity-building and training, development of legislation), but here we focus on

the technical and convening roles for which the organization is perhaps best known.

Examples of IUCN's technical role

The quality and authority of IUCN's technical work is based on wide participation of leading experts on particular topics, together with independent peer review. Through expert-driven global consultation processes, IUCN has developed internationally accepted Standards, such as the IUCN Red List Categories and Criteria (for species) (Mace et al., 2008; IUCN, 2012b), the Protected Area Management Categories (Dudley, 2008), the IUCN Red List of Ecosystems Categories and Criteria (Keith et al., 2013), the Global Standard for the Identification of Key Biodiversity Areas (IUCN, 2016b), and the Natural Resources Governance Framework (IUCN, 2017).

IUCN also mobilizes knowledge products (Brooks et al., 2015), such as the IUCN Red List of Threatened Species, Protected Planet (co-produced with the United Nations Environment World Conservation Monitoring Centre), the Global Invasive Species Database, and the African Elephant Database, some of which are based on the IUCN Standards. These knowledge products feed into, for example, the United Nations Environment's Global Environmental Outlook, the Convention on Biological Diversity's Global Biodiversity Outlook, and the Intergovernmental Platform on Biodiversity and Ecosystem Services (Brooks et al., 2016).

Under its technical role, IUCN provides evidence-based, independent advice on (sometimes controversial) topics, making no claim that such advice represents a consensus view of any of IUCN's constituents. For example, IUCN is the advisor to the World Heritage Convention on natural sites. IUCN's role is to provide high-quality, objective, technical advice on natural heritage to the World Heritage Committee on new nominations to the World Heritage List, and on monitoring of the State of Conservation of World Heritage properties, and this role is isolated as much as possible from interference or lobbying by IUCN Members or other constituents. IUCN's recommendations to the World Heritage Convention are sometimes unpopular with particular IUCN Members, and on occasion the World Heritage Committee itself has not adopted them. Nonetheless, IUCN's role has proven to be highly influential. The World Conservation Congress has adopted two Recommendations on potential future nominations of particular World Heritage Sites, but with caveats that the adoption of the motions did not compromise IUCN's independent advisory role to the World Heritage Convention (IUCN, 2004a, 2008).

IUCN also plays an independent scientific advisory role in CITES. For each CITES Conference of the Parties, IUCN

and TRAFFIC (the joint wildlife trade programme of IUCN and WWF) produce the Analyses of Proposals to Amend the CITES Appendices (e.g. IUCN TRAFFIC, 2016), which provide independent assessments of proposals to change CITES species listings. These Analyses can come to conclusions that some IUCN Members do not like, but they are generally respected as objective, technical assessments. Two resolutions adopted by the World Conservation Congress (IUCN, 2012c, 2016c) called for the listing of particular species on the CITES Appendices, but footnotes clarified that these resolutions did not prejudice the independence of the IUCN/TRAFFIC Analyses.

The IUCN Red List of Threatened Species is another independent, evidence-driven process, and IUCN strives to keep its species assessments free from influence by special interest groups, including IUCN Members. A new protocol is under development to help ensure that the Red List is not compromised by conflicts of interest involving Red List assessors and reviewers. An independent body, the Standards and Petitions Sub-Committee, oversees the Standard itself and its processes, and adjudicates on challenges to species' listings.

Examples of IUCN's convening role

IUCN has long played a convening role in the conservation community to develop major policy statements and positions. A frequently cited example is the World Conservation Strategy (IUCN, UNEP & WWF, 1980), which was prepared through an IUCN-convened process and was extremely influential in setting the conservation and sustainable development agenda, establishing the conceptual basis for the 1992 United Nations Conference on Environment and Development.

A more recent example of IUCN's convening is the Policy on Biodiversity Offsets (IUCN, 2016d). The original intention was to submit an offset policy to the 2012 World Conservation Congress. However, because of the complexity of the issues and diversity of opinions, the Council instead submitted a motion mandating a multi-stakeholder policy development process, which took 4 years to complete, the final policy being adopted at the 2016 Congress. The process started by documenting the evidence base (i.e. the technical role; IUCN, 2014b), before negotiating the policy itself (the convening role). The final policy is considered by many to be state-of-the-art work in this area, and its adoption was a remarkable outcome for such a broad union as IUCN.

The 2016 World Conservation Congress mandated three new IUCN policy processes on natural capital assessment and accounting, oil-palm production in relation to biodiversity, and the implications of synthetic biology for biodiversity. For each of these, the process will build the evidence base and engage the full spectrum of views within IUCN

to develop policies that hopefully can gain eventual consensus. Like the biodiversity offsets policy, these will be developed through two-step processes (i.e. one Congress mandating a process to bring a draft policy to the subsequent Congress), suggesting that such two-step approaches, particularly regarding difficult topics, are now becoming the norm in IUCN.

It is not realistic for IUCN to achieve consensus on everything. Much of its strength lies in its diversity of views and constituents. In a thoughtful article, Matulis & Moyer (2017) highlight some of the limitations of a consensus-based approach to conservation. They note that an orchestration of consensus can systematically marginalize and exclude disadvantaged perspectives and stakeholder groups, stifle vigorous debate, dilute the content of agreements to a lowest common denominator, and mask uneven power relations. We agree that these concerns represent real dangers, and that IUCN may have inadvertently embedded such risks in its various processes. In our experience, conflict and argument are characteristics of most, if not all, of the examples we give, and without such agonism, eventual consensus would not have been reached; or if consensus had been reached without agonism it would probably have been a weak and meaningless lowest common denominator.

When divergent views make the convening role difficult

When consensus is not possible, IUCN can often still make a positive contribution. A good example is the bear-farming motion adopted at the 2012 World Conservation Congress, the original draft of which called for the complete closure of all bear farms. It quickly became clear that no obvious consensus could be negotiated. The motion proponents might have gained a majority without negotiating, but realized that an IUCN Recommendation opposed by bear-farming countries might have had a minimal or even negative impact. Thus a drafting session involving all key stakeholders turned the motion into a mandate for a situation analysis of the impacts of bear farming on wild bears, rather than a call to close bear farms (IUCN, 2012d). The ongoing implementation of this situation analysis is proving to be a demanding but useful exercise, and will hopefully produce widely supported evidence to increase understanding of the issue. When it became clear that IUCN's convening role could not deliver a consensus, the stakeholders reverted to using IUCN's technical role.

The convening and technical roles are not always obviously distinct. Another motion from the 2012 World Conservation Congress was on the destruction of intertidal wetlands along the East Asian–Australasian Flyway, especially around the Yellow Sea, leading to rapid declines in migratory shorebirds. Some IUCN Members notified the Director

General of their intention to submit this motion over a year before the Congress. The Species Survival Commission therefore had time to implement an independent situation analysis of the issue (MacKinnon et al., 2012) at the behest of these Members (i.e. Members made use of IUCN's technical role). The draft was reviewed widely by IUCN government and NGO Members in the region, the final version being published in Chinese, English and Korean just before the start of the Congress. It contained no recommendations but provided clear and largely uncontested evidence to inform the motion negotiations, thus making it easier to reach agreement on a compromise text (IUCN, 2012e). As a result, dialogue processes are now underway in China and the Republic of Korea on ensuring more integrated coastal-zone management and protection of the most important sites, and some conservation benefits have already been achieved. In this example, use of IUCN's technical role facilitated the effectiveness of its convening role.

Certain types of issues tend to be particularly divisive. When fundamentally different world-views are involved (such as on private-sector engagement, or the consumptive use of wild species), then obtaining full consensus is difficult. Emotions tend to run higher when iconic species are the focus, and in such instances IUCN has often used its technical rather than convening role, knowing that a full consensus is impossible.

IUCN helps intergovernmental processes to manage a diversity of views and opinions productively. For example, on the ivory issue, IUCN has played a central technical role, while simultaneously exercising its convening role, but deliberately not focusing on achieving specific policy positions or broad consensus. Sometimes the strongest outcomes have come through identifying areas of commonality, building on these, and respecting areas of difference (avoiding the dangers of orchestrated consensus; Matulis & Moyer, 2017). The Species Survival Commission African Elephant Specialist Group has helped with the technical development of the African Elephant Action Plan (adopted by all 37 range states in 2010), and also with numerous national and regional strategies and plans. By compiling and analysing African Elephant Database information, the African Elephant Specialist Group periodically produces status reports on the numbers and distribution of the species (e.g. Thouless et al., 2016). The African Elephant Specialist Group uses this and other technical information to provide CITES Parties with timely advice. The Group has played a key role in the African Elephant Range State Dialogue meetings since 1994, including both provision of technical support and convening (including both chairing and facilitating the meetings). Throughout these engagements the Group has not promoted any particular policy or position on highly controversial issues or divergent ideologies. By design, the African Elephant Specialist Group has members with a variety of views on such matters but who collaborate

productively on issues of mutual concern, such as habitat degradation and loss, translocations and reintroductions, and the management of human–elephant conflict and locally overabundant populations.

Giving it the time it needs

Many IUCN processes require significant time to achieve satisfactory outcomes, given the complexity of the issues, the scarcity of evidence and the diversity of views and perspectives; for example, the 4-year process to agree the biodiversity offsets policy. The IUCN Policy on the Sustainable Use of Wild Living Resources (IUCN, 2000a) required a 10-year process to carry out regional consultations, build the knowledge base, and obtain consensus. The 2016 World Conservation Congress created a new IUCN membership category for Indigenous Peoples, following many years of discussions, which ultimately were successful because they were not rushed.

The same is true for the negotiation of IUCN Standards. The IUCN Red List Categories and Criteria were developed over 5 years (1989–1994), with a subsequent review during 1997–2001. The Key Biodiversity Area Standard (IUCN, 2016b) took 6 years to complete.

We do not know if any of the above-mentioned approaches might have helped with the Motion 007 negotiations. Many IUCN Members considered the domestic ivory market issue to be too urgent for a more protracted process. Furthermore, the impetus to make a decision was fuelled by the proximity of the 17th meeting of the Conference of the Parties to CITES (COP17) a few weeks later, especially as it was believed that whatever IUCN decided would have a significant impact on CITES.

There have been less successful policy processes in IUCN, in which insufficient time was given to work through the issues. For example, two separate World Conservation Congress resolutions on genetically modified organisms are ambiguous with respect to each other, leaving IUCN in a confused position (IUCN, 2000b, 2004b). They were each adopted in the face of opposition from key State Members, with neither a rigorous compilation of the evidence base nor an inclusive negotiating process prior to the Congress. In short, sufficient time was not given to developing IUCN's policy on genetically modified organisms, leaving the organization unable to contribute substantively on this issue.

IUCN's unique value proposition

The value of IUCN's processes is that they lead to the adoption of policies, standards and analyses for the whole conservation community. IUCN alone brings together governments, NGOs, Indigenous Peoples and scientifically

independent Commissions, and has the mechanisms to facilitate discussions on complex issues across multiple stakeholders. Although many organizations may claim to have convening power, the reality is that few have the ability and the credibility to bring together polarized and opposing voices, such as those that characterize issues around sustainable use, in a neutral and constructive way.

If IUCN is to continue to serve the conservation community in this way, it must not take decisions or adopt policies divisively. Whatever one's views on domestic ivory markets, the adoption of Motion 007 is problematic for IUCN because of the failure to have a reasoned debate. Matulis & Moyer's (2017) advice notwithstanding, IUCN may find it impossible to maintain both its scientific independence and its broad tent if it makes a habit of forcing through divisive decisions. IUCN Members do not help IUCN serve in this capacity if they themselves do not try to seek consensus. IUCN may also run the risk of simply duplicating other forums, such as CITES, in which controversial decisions are typically put to the vote.

In a post-factual age in which discourse is becoming increasingly polarized and evidence is often deemed to be of minor importance in decision making, mainstream political debates adopt a winner-takes-all approach, and uninformed bulldozing of opponents and recalcitrant refusal to negotiate at all seem more commonplace than fine statesmanship and diplomacy to build wide support for political settlements, IUCN could easily fall victim to these disturbing trends. However, as a science-based union that prides itself on evidence-based dialogue, convergence and consensus-building, it is imperative that IUCN retains its hard-earned and critical technical and convening roles for long-term conservation outcomes and impacts. If IUCN loses this, we shall have lost something significant that would be difficult, if not impossible, to re-establish.

Safeguarding IUCN's role

We therefore recommend that IUCN takes steps to safeguard the independence of its technical role and to strengthen its convening role. We encourage the IUCN Council and the wider IUCN membership to consider and explore the following possible reforms:

1. An amendment to the IUCN Statutes and/or World Conservation Congress Rules of Procedure, emphasizing that Congress decisions should normally be taken by consensus, and with voting only when consensus cannot be achieved.
2. When voting is needed, requiring a higher percentage majority to take World Conservation Congress decisions than the current system of simple majorities. Requiring a larger majority 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.

3. Allowing more time for negotiating, including provision for advancing work on controversial motions after the close of the online debate (which takes place prior to each Congress) and before the start of the Congress, and giving more time for contact groups on difficult motions during the Congress (such as overnight sessions, which other negotiating processes use).
4. Establishing a practice whereby IUCN Members can choose to give early notice of potentially controversial motions they intend to submit, thus allowing time for processes to be put in place, such as independent situation analyses.
5. Empowering the World Conservation Congress Resolutions Committee to refer some potentially divisive but non-urgent motions, for which eventual consensus would be beneficial for conservation, to two-step processes, as described above.
6. Requiring and guaranteeing the scientific independence of the work carried out by the Commissions and Secretariat under IUCN's technical role, thus protecting such work from partisan interference from any source. Most organizations have no such guarantees of independence, but IUCN could achieve this through a simple statutory amendment.

Even with such changes, IUCN Members will need to continue to be creative and use IUCN's various mechanisms in ways that facilitate its critical role in achieving conservation outcomes and impacts in an increasingly complex world. We also believe that the principles outlined here are likely to have broader applicability in the conservation movement beyond IUCN, especially when agreement among diverse stakeholders is needed on critical issues.

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Biographical sketches

The authors are all involved in IUCN in various ways, either as current or former members of IUCN Commissions or Council, through IUCN Member governments or NGOs, or as former staff. The authors include a former IUCN President and former IUCN Director General, six former and six current IUCN Regional Councillors, and three former and one current IUCN Commission Chair.