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Report to the General Assembly on the amendments to the ICOMOS Statutes

Background

During its 2008-2011 mandate, the Executive Committee had several discussions about the ICOMOS Statutes. It noted that previous attempts to amend the Statutes had been unsuccessful and had left mixed feelings, resulting in reluctance from many members and committees to reopen this debate.

However, the Executive Committee has also observed that:
- The law and practice on organisations and their funding have evolved, in France and elsewhere;
- The current statutes do not allow to strengthen the financial stability of the association over time;
- The current wording of the statutes is not in compliance with the law, on some points at least, and includes ambiguities in particular with regard to governance;
- The statutes contain many provisions normally not covered in statutes (a document binding on third parties), but included in rules of procedure (a document binding on members), and they therefore lack clarity.

These considerations led the Executive Committee to start working on a potential revision of the Statutes and to set up a Task Team. It decided, however, to proceed in stages, starting with the most urgent items, taking into account the numerous works done in the past. It also decided to conduct consultations through the Advisory Committee. The Executive Committee wishes to thank the von Trützschler Group, whose report served as the basis for its discussions together with other documents.

A first paper on the amendments to the Statutes and the Rules of Procedure of the General Assembly was submitted for comments to the Advisory Committee in October 2010. The Advisory Committee set January 15, 2011 as the initial deadline for submitting comments to the International Secretariat with the explicit mention that no comments on the proposals meant agreement. The consultation process was presented in the Electronic News from ICOMOS # 62 with an extension of the deadline until January 31, 2011 to allow greater participation in the consultation.

Results of the consultation process

Seven responses were received following the consultation:
- 6 comments and one acknowledgment of receipt;
- 6 responses from National committees or their Presidents (ICOMOS Australia, Austria, Canada, Spain, Sweden, Venezuela) and one contribution from an individual member (ICOMOS United States);
- 5 contributions received on time and 2 contributions received by the Secretariat a few days after the deadline.

The Executive Committee considered all contributions at its meeting in March 2011 with a view to submit proposals for adoption to the General Assembly.
Despite the intention of the Executive Committee to move forward and its timetable that would have allowed for a second consultation on proposed amendments in 'tracked changes', it turned out that a longer consultation process was necessary:

- There were relatively few responses to the consultation: rather than to conclude that all the Committees who had not responded agreed with the proposals, the Executive Committee wondered whether all Committees were fully aware that this debate had been launched;
- Among the National Committees that responded to the consultation, several noted that it was difficult to provide comments on a 'concept paper' and indicated that a final opinion could only be given after receiving the proposals as text amendments;
- Imperceptibly, the debate in the first stage which should have been limited to necessary amendments was extended to other important but less urgent items, while the legal analysis and an analysis on how to ensure greater financial stability should have been developed further;
- Moreover, when the concepts for which there seemed to be a consensus were translated into text amendments, it turned out that the two language versions of the statutes were not identical ...

If the first goal had been achieved – namely to restart a dialogue on the amendments to the Statutes - it was clear that the second objective - to submit proposals for amendments for adoption by the General Assembly in Paris - was not realistic because the additional corrections and analysis could not be made within the agreed timeframe. More time was also required for larger consultations.

The Executive Committee thus proposes that the 17th General Assembly in 2011 adopt a resolution defining the process leading to the submission of amendments to the Statutes for their adoption by the 18th General Assembly in 2014. To that end, it is suggested to create a working group, representative of all regions and cultural groupings (nominations to be made by the Advisory Committee), which shall include some persons who served on the Statutes Task Force. The working group shall build upon the analysis and work already carried out, and focus on the follow topics:

- Categories of membership and financial stability
- Governance
- Elections
- Interaction of the Eger-Xi'an and Dubrovnik-Valletta Principles with the Statutes and / or Rules of Procedure, and
- Compliance with legislation.

The starting point shall be the text of the Statutes without the provisions that need to be transferred to Rules of Procedure. The working group shall formulate proposals for the two documents (Statutes and Rules of Procedure, as appropriate).
The working group shall present a report to the Advisory Committee in 2012. Given the work already undertaken, the proposals shall be presented as text amendments in 'track changes' mode together with their rationale. After the Advisory Committee meeting in 2012, extra time (max. 6 weeks) shall be given to the Committees and the membership to send further comments in order to allow those who did not attend the Advisory Committee to participate in the consultation process.
Based on the above, the working group shall submit to the Advisory Committee a revised version well in advance of its 2013 meeting. The Committees and membership will have the possibility to comment prior to and during the Advisory Committee meeting.
Based on the comments received, and the discussions and decisions made at the 2013 Advisory Committee meeting, the working group shall prepare the final version of the proposal to amend the Statures as well as the final proposal for the Rules of Procedure. These shall be sent to the membership four months before the start of the General Assembly 2014, in accordance with Article 19 of the Statutes.
The working group shall submit a progress report to the Executive Committee between the meetings of the Advisory Committee.

Draft resolution submitted for consideration to the General Assembly

Agenda item 5-1 – Report on the amendments to the Statutes

Draft resolution GA 2011/8

The 17th General Assembly decided to establish the following working group with a view to submit to the 18th General Assembly in 2014 amendments to the ICOMOS Statutes as well as Rules of Procedure for approval. To that end, it creates a working group, representative of all regions and cultural groupings, which includes some persons who served on the Statutes Task Force, and shall consist of: Mr / Mrs XX (ICOMOS country) (names to be suggested by the Advisory Committee), Mr/Ms XX (ICLAFI, member of the Former Task Force), Ms Anne Magnant (ICOMOS France, member of the former Task Force), Ms Bénédicte Selfslagh (ICOMOS Belgium, Chair of the former Task Force) as well as a representative of the legal council of ICOMOS.
The working group shall build upon the analysis and work already carried out, and focus on the follow topics:

- Membership categories and financial stability
- Governance
- Elections
- Interaction of the Eger-Xi'an and Dubrovnik-Valletta Principles with the Statutes and Rules of Procedure
- Compliance with legislation:)

The starting point shall be the text of the Statutes without the provisions that need to be transferred to Rules of Procedure. The working groups shall formulate proposals for the two documents (Statutes and Rules of Procedure, as appropriate).

The working group shall present a report to the Advisory Committee in 2012. Given the work already undertaken, the proposals shall be presented as text amendments in 'track changes' mode together with their rationale. After the Advisory Committee meeting in 2012, extra time (max. 6 weeks) shall be given to the Committees and the membership to send further comments in order to allow those who did not attend the Advisory Committee to participate in the consultation process.
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The working group shall submit a progress report to the Executive Committee between the meetings of the Advisory Committee.

Attachment 1

Revision of the ICOMOS Statutes
Proposals submitted for discussion to the Advisory Committee[1]

Introduction

The Executive Committee submits to the Advisory Committee a set of proposals to amend the ICOMOS Statutes and Rules of Procedure of its General Assembly. The proposals have been prepared Task Force on Statutes and reviewed by the Executive Committee.
Previous as well as new suggestions for amendment have been used. The proposals reflect main ideas and do not go into technicalities (e.g. cleaning up of the text).

Most of the proposed amendments correspond to requests that have been made for years (e.g. adding the intangible dimension in the Aims and Activities). They also correspond to some clarifications that were requested (e.g. membership categories) or reflect current practices (e.g. Eger Xi'an Principles).

A number of proposals are more significant, but have as their only objective to ensure better governance and financial stability of ICOMOS and are still consistent with the **current framework** of the organisation (e.g. clarification between responsibility of the elected officers and the secretariat). These proposals are the most urgent.

Should the Advisory Committee be in favour of a minimal reform, or alternatively a more substantial reform, this should not prevent the General Assembly from adopting already in 2011 the important and urgent amendments related to better governance and financial stability.

Proposed amendments to the Statutes

Aims and Activities

1 Adjustment of the aims to the present situation, e.g. adding intangible dimension of cultural heritage

Members

2 Deletion of the list of professions to underscore their evolving nature

3 Categories
- Individual and Institutional membership: the Statutes shall reflect the conditions necessary to becoming a member of ICOMOS as well as the process for acceptance and opportunity to appeal to the Executive Committee in terms of the Rules of Procedure.
- Associate members shall be members of a National Committee but of ICOMOS (they do not pay international membership and have no rights in ICOMOS, including in the International Committees and the General Assembly).

[1] Document ADCOM 2010/10 10-3 (EN), Ver. 2010/10/26

- The category of sustaining membership shall be deleted (the matter shall be dealt with in the membership fee structure).
- The honorary members shall retain their voting rights (honorary membership is conferred by the General Assembly to members for services rendered to ICOMOS).
- Creation of a new category of patrons (they do not pay dues and have no voting rights).

4 Compliance with the Ethical Commitment Statement shall be made part of membership conditions.

General Assembly

5 Clarification of the quorum requirements for the General Assembly to facilitate practical arrangements.

Executive Committee

6 The composition of the Executive Committee (which shall be called the 'Board' to clarify the different responsibilities of the elected office bearers and the executive Secretariat), will be:
- President,
- Secretary General,
- Treasurer General,
- Five Vice-Presidents,

All of the above will compose the Bureau
- Eleven members elected by the General Assembly,
- Five co-opted members.

It is suggested that the total of 24 members should not be exceeded should ICOMOS wish to seek declaration of 'public interest' at some point (cfr. Gifts and bequests).

7 The President of the Advisory Committee shall be invited to the Board meetings as an observer; members of the Board can attend the meetings of the Advisory Committee as observers.

8 The election process shall ensure that at least one candidate from each region, based on the UNESCO regions, is elected to the Board: the candidate receiving the most votes [from the regional membership] shall lead regional activities and meetings.

9 Cooption shall be based only on the ability of the candidates to make a significant contribution to the organisation, e.g. in terms of financial stability.

10 The total number of consecutive years served on the Board shall remain limited to 9 consecutive years; with the exception of the President, Treasurer and Secretary General for which the total number of years shall be max. 12 consecutive years.

11 The members of the Board, including Bureau members, shall act in accordance with decisions of the Board.

12 The Board shall have responsibility for formal recognition and withdrawal of recognition of National Committees and International Scientific Committees.

Bureau

13 The description of the responsibilities of the Bureau members in the Statutes shall be amended in order to eliminate ambiguities, in particular with regards to the Secretariat.

14 The responsibilities of the President shall include the representation in courts, but a mandate of the Board shall be needed to initiate a court case (this is a standard clause).

15 The description of the tasks of the Bureau members shall be kept to a minimum in the Statutes but shall be detailed in a document on delegation of powers, which should provide also details on powers delegated to the secretariat. In order to avoid duplication of responsibilities, such a division of tasks could be:
- The President represents the organisation and can only take major commitments with the approval of or upon delegation of the Bureau;
- The Secretary General, as liaison between the Secretariat, the Board and its Bureau for administrative matters, oversees the preparation of statutory meetings, minutes of meetings and administrative formalities.
- The Treasurer General, as liaison between the Secretariat, the Board and its Bureau for financial matters, oversees the financial stability including fund raising, and reviews the accounts.
- The President will delegate areas of responsibility to other Bureau members (Vice Presidents) as per a cabinet arrangement.

Advisory Committee

16 The President and Vice-President(s) of the Advisory Committee originate from both components of the Advisory Committee (the National Committees and the International Scientific Committees).

17 Throughout the Statutes, the International Committees shall be placed on the same level as National Committees where this has not yet been done.

18 A specific sentence shall be added to article 12-b recognising working structures such as the Scientific Council and ICOMOS Academy within the existing framework of the Advisory Committee.

19 Deletion of article 12-c concerning the Advisory Committee drawing up a list of candidates for election to the Board.

National Committees

20 Regional Groups can be recognised by the Board where the establishment of National Committees is not possible.

21 The National Committees appoint the members who vote at the General Assembly regardless of their membership of the Board.

Amendment of the Statutes

22 Amending of the Statutes shall be by [simple] majority of attending members.

Proposed amendments to the Rules of Procedures of the General Assembly

23 Simplification of election procedures:
- For the position President, Treasurer General, Secretary General max 2 rounds: if no candidate for a position has received a majority, the second round shall include only the 2 candidates with the most votes. The elections of all 3 positions shall be held simultaneously and candidates may run for one position only.
- For Vice-Presidents: the 5 candidates with the most votes shall be elected
- For the other Board members: the candidate with most votes per region not yet represented in the Bureau shall be elected and thereafter the remaining candidates with most votes until all positions are filled.

24 Deadline for proxies in article 23-3-c shall be brought in line with article 15-2, with a deadline of 6:00 pm on first day of the General Assembly (all deadlines shall be the same, apart from resolutions, see below).

25 The Credentials Committee shall examine a report prepared by the Secretariat under the supervision of the Secretary General, check its accuracy, and present the results to the General Assembly.

26 Draft resolutions shall be submitted by 18:00 pm on the second day of the General Assembly.

27 Any proposed resolution, which in the opinion of the Treasurer General has implications in terms of human and/or financial resources, shall not be submitted to the General Assembly by the Resolution Committee unless it specifies the provenance of the resources.

28 A vote by secret ballot may be requested by more than [90] voting members (with the current system one person with 5 proxies can force a secret ballot).

29 If a vote is tied, the President of the General Assembly shall have decisive casting vote.

Attachment 2

Results of the first consultation on the revision of the Statutes
October 2010 – 15 February 2011

Comments are presented in chronological order of receipt, starting with the contributions by the National Committees, in the language in which they were submitted, unless indicated otherwise.

ICOMOS Canada

Contribution sent by Mr Dinu Bumbaru, President, on 15 January 2011

a. The document's background needs to be expressed clearly along with the actual mandate given by the Executive Committee.

b. The justification of these proposed modifications is unfortunately missing and should be included so we can have a real understanding of all this work.

c. It is not clear how any of these proposed amendments will help the financial stability of ICOMOS since the only reference to financial stability seems to be in the cooption of members of the Executive Committee.

d. The inclusion of the UNESCO geography as the reference for our own regional diversity is unacceptable. The UNESCO geography is essentially based on political interests, not cultural or professional ones, and contradicts the years of efforts in ICOMOS to bridge the differences and segregations arising from that political vision of the world; e.g. the UNESCO geography creates a wall between the US and Mexico and send us, Canada, to Europe! After the debacle of the proposal we were presented in Valetta of a reform of the structure of ICOMOS Doctrinal Texts to fit UNESCO's categories, one would have expected a more ICOMOS-sensitive approach. Let's be clear, UNESCO is a great organisation but ICOMOS is and must be different. Otherwise, we can't be a good partner for them nor a good leader for heritage.

e. The redefinition of members categories is not clearly justified and it's not clear that the Executive Committee understand the consequence of such change, in particular the burden and bureaucratic workload it could impose on National Committees which are incorporated under National Legislations.

ICOMOS Canada is currently reviewing its Bylaws to incorporate the Ethical Commitment Statement and reflect better the ICOMOS membership categories. To learn suddenly that ICOMOS is about to reshuffle these now is likely to waste a lot of volunteer time and legal fees we have invested. We don't deny there is an opportunity to improve things and we can actually suggest some ways as a result of our own reflections, but the way this is presented - without a clear implementation strategy involving National Committees which are de facto recruitment agents of ICOMOS - is more likely to acheive more than destabilising ICOMOS.

This should be approached in an integrated way - bylaws improvement and recruitment strategy with National Committees. Please don't forget that many National Committees will have to change their bylaws to incorporate International ICOMOS technical adjustments. There are costs and delays as a result of this. This is nothing like the efforts put by not-incorporated International Committees after the adoption of the more «home-made ICOMOS» Eger-Xi'an Principles.

f. The increase of consecutive mandates from 3 to 4 for the President, Secretary and Treasurer are not acceptable. For years, the main discussions have been to reduce these from currently 3 to 2 mandates. Again, justification? People should look at the case of the many countries which have amended their constitutions to allow their leaders to keep their seats - rarely a success for democracy and the nation.

g. The standardization of treatment between National and International Committees is not fair not appropriate as presented in the document. National Committees are the basis of the ICOMOS network and the recruitment agencies for members; they make ICOMOS correspond to the natural level of organisation of the conservation system - the National level with its common traditional, legal and economic foundations. International Committees (often knicknamed «Scientific») are components created by ICOMOS Executive Committee to explore the various themes of conservation, be they regional, disciplinary or typological. Whereas the National Committees provide a natural access to cultural diversity, nothing seems to prevent the International Committees from being taken over by one or two nationalities.

h. To treat everything even is neither justified nor just. And it is not fair to impose all committees with bureaucratic burdens, which even the larger committees with their secretarial staff can barely deal with. The structure of ICOMOS must be imagined in a way that it valorises the sharing of ideas and experience to improve the conservation of heritage sites NOT to satisfy those who confuse adding procedure with achieving progress.

h. The formal incorporation of the Academy and Scientific Council in the construct of the Advisory Committee should not be made unless these have to answer the principle of credibility in terms of regional and disciplinary diversity. The current situation shows there is a real trend of a quasi-nationalisation of the scientific and professional development process in ICOMOS. Our statutes to provide effective means to prevent this and ensure ICOMOS benefits from a truly diverse input.

i. It is good that the issue of accrediting National Committee be addressed in this reform. Yet, the Statutes should acknowledge that the world is diverse and that not every National Committee can be modelled on the US or European standards. Statutes should provide for a variety of ways to develop its network of National contacts, whether through formal National Committees or working groups. For example, why haven't we yet created an interim National Group in Haiti as suggested following the earthquake? That could really help.

j. Overall, the proposals for the reform of the Rules of Procedures seem quite reasonable, practical and sound. Two main comments nevertheless:

1. Again, the reference to «regions» should not be based on the UNESCO geography as proposed earlier.

2 - Also, any candidate for the election should be required to sign a standard statement of «no conflict of interest» which must be reviewed and declared acceptable by the Candidatures Committee. A similar statement should be part of the cooption process. This is to ensure that all members of the Executive Committee of ICOMOS when acting in that capacity are first and foremost serving ICOMOS and its General Assembly, and upholding its Statutes instead of serving the interests of a particular committee or organisation in or outside ICOMOS.

ICOMOS Spain

Contribution sent by Ms Maria Rosa Suárez-Inclán, President, on 19 January 2011
(note: the comments were sent in three languages as 'track changes' in the original document)

In its comments, ICOMOS Spain disagreed that previous as well as new suggestions for amendment have been used, and that most of the proposed amendments correspond to requests that have been made for years.

Executive Committee, clause 9 on co-option
The co-option is questioned if the intention is that seats at the Executive Committee would be reserved for a few countries already well represented, in the end this would give a false impression of democracy and universality.

Bureau, clause 14
ICOMOS Spain would like to have information on the standard clause relating to representation in courts (note: this is a common clause in standard Statutes Non for Profit Associations under the French 1901 Law)

Bureau, clause 15
On the description of the tasks of the Bureau: "Non, ces tâches doivent être dans les Statuts".
Idem, last bullet on delegation of areas of responsibility to other Bureau members as per cabinet arrangements: "Non, le Président est le président pour tout l'ICOMOS et ses membres. Les Vice-présidents agissent par délégation, mais ne se substituent pas au président qui a sa propre fonction et représentativité".

Advisory Committee, clause 17 on the International Scientific Committees
"Les Comités scientifiques n'ont pas de personalité juridique, ne paient pas des cotisations... il faudra être plus explicite."

Amendments, clause 22 on the majority required
"Ce n'est pas du tout démocratique".

Amendments to the Rules of Procedure

- Clause 23 on the election of the Vice-Presidents: demande de clarification sur la majorité des voix obtenues.
- Clause 23 on the election of other Board members: demande de clarification s'il s'agit des régions de l'UNESCO ou si une autre répartition sera formulée
- Clause 28 on the secret ballot: clarification whether this paragraph has been deleted?

ICOMOS Austria

Acknowledgment of receipt sent by Mr Wilfried Lipp, President, on 1 February 2011

ICOMOS Venezuela

Contribution sent in Spanish on 15 February 2011: translation by Mr Alfredo Conti

1 Aims and functions

We agree with the proposal of incorporating the intangible dimension of cultural heritage.

2 Members

We agree with the suppression of the detailed list of member's professions; this will allow no exclusion of other professions that could be related to a multidisciplinary vision. Regarding categories of members, it would be necessary to better define the limitations of sustaining members. We support the agreement with the Ethical Code as a condition for the acceptance of new members.

3 General Assembly

We agree with the proposal of clarification of terms related to quorum for the General Assembly.

4 Executive Committee

We agree with the composition of the Executive Committee and with the denomination of "Board" to clarify responsibilities differentiated from the "Bureau". We agree with different points on responsibilities and procedures of participation of the President of the Advisory Committee and members of the Board. We do not agree with adopting the regionalisation of UNESCO. We consider that the regionalisation must correspond to social and cultural realities of each geographic region. We do not agree with the proposal of extension to 12 years for the period of permanence in the positions of President, Secretary General and Treasurer. We consider that 9 years is a prudent period of permanence.

5 Bureau

We agree with the proposal of clarifying the description of responsibilities of members of the Bureau.

6 Advisory Committee

We do not agree with the proposal that International Committees have the same status than national committees in those countries where no national committee exists. We consider that in those cases the creation on national committees should be encouraged in accordance with sovereignty and legislation of each country.

7 National Committees

We do not agree with the proposal that regional groups be recognised by the Board where the establishment of a national committee is not possible. We consider that the creation of national committees must be fostered and encouraged in those countries where, on account of diverse circumstances, there are difficulties for the creation of such committees.

8 Proposal of amendment of procedures of the General Assembly

We agree with the proposal of simplifying the procedures of elections and the date of term of proxies for elections.

ICOMOS Australia

Contribution sent by Ms Jane Harrington, President, on 18 February 2011

Australia ICOMOS supports the majority of the amendments as tabled, but notes the desire for greater clarity from several National Committees regarding the manner of implementation of some of the proposed changes. It is likely that the summarised nature of the document has unintentionally created ambiguities and lack of clarity in some places, and we look forward to their resolution in the next iteration of this process.

In terms of our own queries and matters of interest, we make the following specific comments:

1 Members, Clause 3 - dot point 2: we assume there is a small typographical error in the text so that the word NOT should be included in the following clause for it to make sense.

"Associate members shall be members of a National Committee but not of ICOMOS (they do not pay international membership and have no rights in ICOMOS, including in the International Committees and the General Assembly)".

Members, Clause 3 - dot point 5: we suggest that the proposed new category of 'patrons' needs clarification and anticipate that a set of agreed criteria will be developed to resolve this.

3 Executive Committee, Clause 7: we seek clarification as to whether or not this is proposing a change to the current status of the President of the Advisory Committee. If a change is being proposed, we do not support this amendment.

4 Advisory Committee, Clause 18: we support the intent of this amendment but reserve the right to comment on the final wording of the sentence to be inserted.

5 National Committees – Clause 20: Australia ICOMOS strongly endorses this amendment.

ICOMOS Sweden

Contribution sent by Ms Kerstin Westerlund Bjurströmn President, on 21 February 2011

ICOMOS Sweden wishes to make the following comments on the proposals sent to the Advisory Committee and transmitted in the E-news no. 62.
We are in agreement with most of the proposals, but have a supplementary or different view on the following items

Members

3. We favour the proposed distinction between members and patrons. Members should always have voting rights and it is sufficient with the three categories: individual, institutional and honorary. If there is a need for association of individuals, for example to attract students who do not meet the professionality requirements, this then is a matter solely for the NC's, and there should be no mentioning of such a membership category in the statutes with an ensuing obscurity as to who are the ICOMOS members. If NC's opt to bring in associates with a national status as their own members, they do in a way change their format from NC's into another legal personality, and must not mix the two personalities.

Executive Committee

6 and 9. We question the need for co-opted members. The only reason for co-optation is in cases of demise or demission. Then replacements could be found either in the line of non-elected candidates at the last GA or in a pool of specially elected reserves. If the ExCom needs reinforcement for special issues it should feel free to call in observers with a right to take part of the deliberations but without voting rights.

Advisory Committee

18. The addition of the International Scientific Council and the Academy should make it clear that these bodies are optional and not necessary for the functioning of the AdCom.

Amendment of the statutes

22. No reason has been given for the unusual proposal that statutes may be amended by a simple majority. We disagree, as this could cause instability. The current order is quite acceptable. However, the time limit could be shortened to two months.

Other

In view of the fact that under the Eger-Xian principles the ISC's may take in their own membership there is no longer a need for the ExCom to ratify membership as provided for in Article 14 (b).

Rules of procedure for the GA

28. We do not understand what is being proposed here. Given that under the present system one voting member with four proxies constitutes the necessary five to call a secret ballot, is it proposed that the number should be augmented to 90? This seems to be a bit extraordinary. A possible solution may be to keep the present number, but in these issues not recognising the proxies. Five individuals present should be the decisive number.

Final comments

It is good that statutory change is finally coming to a turning point. The ExCom should now put together a complete draft of texts to be communicated four months ahead of the GA in Paris.

Ms Darwina L. Neal, membre de ICOMOS US

Contribution sent on 31 January
(note: the comments were sent as 'track changes in the original document' and further developed in an e-mail; they have been merged in the text below)

Members, clause 3

- Associate Members: if to be referenced, such a category needs to be added.
- Honorary Members: should not be changed
- Patrons: Need to explain before establishing

Executive Committee

- It appears in reviewing the existing Statutes that what was called the Bureau is now proposed to be called the Executive Committee, and vice versa. I agree with this, because the other terms were always confusing in regard to how they were used by other organizations, but this will require a number of wording changes throughout the Statutes to ensure conformance. Maybe, because of extensive other changes being made, it would be more apropos to now use "Board" throughout, instead of "Bureau", to be more in line with other organizations that have an EXCO and a Board of Directors or Trustees, which also includes the EXCO.
- Co-option: Does "co-opted" mean elected? Suggested wording: five members elected by the Board
- Recognition and withdrawal of recognition of National Committees and International Scientific Committees: This appears capricious, unless it is done on some logical basis, such as non-payment of dues for at least a year.

Election procedure

Since both the existing and the proposed method seem to be rather capricious, has consideration ever been given to having elections done by region, with each region nominating its own candidates and then voting on those candidates, rather than having regional representatives elected by everyone? Most of whom do not know the candidates? Especially since the people attending the GA are those who either live the closest and/or are those who can afford to travel? For example, has consideration been given to a Board that would consist of:

President - Elected by all
Treasurer - Elected by all
Secretary-General - Elected by all
7 Vice Presidents - One per region, elected by members of respective region
7 Board Members - One per region, elected by members of respective region
7 Board members - Elected at large (rather than by the Board)
Total: 24 Board Members

It seems that this would lead to more democratic representation and help ensure that regions would be more equitably represented. I realize that this would be a major change and would take a while to transition into, but at least wanted to propose it to provoke some thought!

Bureau

- The President represents the organisation and can only make major commitments with the approval of, or upon delegation by, the Bureau: need to clarify what 'major' is – in regards to funds or policy/position statements?
- Duties listed in Statutes are more comprehensive and apropos.

List of candidates

If this (note: deletion of article 12-c concerning the Advisory Committee drawing up a list of candidates for election to the Board) is done, an alternative means of developing a list of candidates needs to be incorporated. In a quick look at rest of statutes, I couldn't find another mention of how a slate would be developed, unless it would be a free-for-all at the General Assembly.

Seems like a set process for developing a slate of nominees should be developed, including requirements for circulating this list of nominees, along with their CV's and any election statements a set # of days before the GA so that voting members learn about them ahead of time.

National Committees
At such time that it is possible to establish a National Committee, the Regional Group would be incorporated and cease to exist: Adding this would ensure that only one committee represents each country and eliminate possible rivalry.

Amendment of the Statutes
Most other organizations that I'm familiar with require a higher number, such as two-thirds, which is what is now required by the existing Article 19 that I have inserted for comparison. Recommend that ex. not be changed.

Rules of Procedure of the General Assembly
I could not find the Rules of Procedure for the General Assembly on the ICOMOS website, so comments on those proposals were done without the benefit of comparison with the existing ones, but they should be comprehensively reviewed as well.

General
In reviewing the proposed changes in regard to the existing statutes on the ICOMOS website, it became apparent that it could benefit from a number of other changes throughout. For example, in these days it is rather archaic and chauvinistic to use he/his/him and chairman throughout the document, when many other organizations have had a policy for years that all of their official documents and policies must contain non-gender-specific language - i.e., either rewrite to eliminate need for "he/his/him" , etc.or use s/he or he/she, his/her or her/him, for example. Also, use "Chair" instead of "Chairman".

Another suggestion. It is one thing to propose reforms that are in some cases conceptual and in others specific, but the key is how they will actually be incorporated in detail into the existing statutes. This can only be shown through presenting the documents in a comparative way, such as "track changes", so that the differences between existing and proposed are clear to those voting.

Last, since this current effort is to lead to "long overdue reform" of the statutes, it would seem logical to do a comprehensive review of the existing ones so that all recommended changes can be proposed and made at the same time, instead of incrementally over a longer period, especially since I would expect that the resultant approved revised statutes would need to be legally filed wherever ICOMOS is legally incorporated - in Paris, I would assume?