



Adopted, Governing Board Meeting, 1 November 2009

IUCN Academy of Environmental Law

Guideline 1

ROLES AND RESPONSIBILITIES OF ELECTED MEMBERS OF THE GOVERNING BOARD

1. INTRODUCTION

1.1 The Governing Board of the IUCN Academy of Environmental law is comprised of ten members who are elected to represent specific regions of the world¹, and three additional *ex officio* positions, as follows: the Head of the IUCN Environmental Law Programme; the Chair of the IUCN Commission on Environmental Law; and the Director or Directors of the Academy. The Head of the ELP and Chair of the CEL may select a representative to attend meetings of the Board in their stead (see Bylaw 6.2).

1.2 Elected members of the Governing Board serve for a term of three years. In order to maintain continuity of membership, approximately one-third of the elected positions are subject to an election each year.²

1.3 The powers and functions of the Governing Board are provided for in Bylaw 6.4, as follows:

“(a) The Board shall exercise all such powers of the Corporation as are not by the Act or by the By-laws required to be exercised by the members.

(b) The Board shall manage the business and affairs of the Corporation. It shall have the power and responsibility to:

¹ The ten regions are: Africa; Eastern Europe; Meso-America; North America; Oceania; South America; South East Asia; North Asia; West Asia; and Western Europe.

² The Bylaws do not specify the term of office of an elected Board member. In 2007, the initial Governing Board resolved to establish a 3-year term for members and to initiate the system of partial elections each year. The newly-elected Board endorsed these resolutions at its first meeting in Ottawa in April 2008.

- (i) establish and terminate committees of the Board including their terms of reference, membership and the appointment of the chair of such committees;
- (ii) establish and terminate advisory committees of the Corporation including their membership (which may include professors, researchers and other academic specialists in environmental law), their terms of reference, membership remuneration and expense allowances, if any;
- (iii) name individual professors to be Fellows of the Academy and establish such honorific positions as it may deem advisable;
- (iv) approve and amend budgets;
- (v) set financial controls;
- (vi) approve projects, respond to initiatives of the members, detail objectives and monitor activities of the Corporation;
- (vii) fix the remuneration and terms of employment of the paid officers of the Corporation including their responsibilities and authorities; and,
- (viii) generally report to members on the activities of the Board at each meeting of members."

1.4 The purpose of this Guideline is to provide a more detailed description of the role and responsibilities of elected members of the Governing Board and also to provide elaboration with respect to the provision in By-law 6.12 concerning the provision of financial assistance to members of the Board.

2. ROLE AND RESPONSIBILITIES OF ELECTED MEMBERS OF THE GOVERNING BOARD

2.1 Meetings of the Governing Board

2.1.1 Elected members of the Board will be expected to attend meetings of the Board, which will normally involve a one-day meeting held immediately before the annual Colloquium of the Academy and an additional meeting of 2-3 days duration at another time each year.

2.1.2 The additional meeting of the Board may be held at the Secretariat location (the University of Ottawa), or, alternatively, may be hosted by an elected Board member's institution. In the latter case, the member's institution will be expected to take responsibility for the provision of a suitable meeting venue and for catering during the course of the meeting (lunch and refreshment breaks).

2.1.3 If an elected board member is unable to attend a meeting of the Board in person, for financial or other reasons, they should use their best endeavours to join all or part of the meeting by Skype or phone.

2.1.4 Elected members of the Board may propose items for inclusion on the agenda for Board meetings and may provide a supporting paper in relation to such items.

2.1.5 Where Board matters are proposed to be dealt with by an electronic vote between Board meetings, elected members will be expected to respond promptly to requests by the Secretariat to cast their vote in relation to such matters.

2.1.6 Elected board members should contribute, to the extent that they are able, to any seminar or similar activity conducted by the institution that is hosting a Board meeting, on a theme or topic to be agreed between the Board and the host institution.

2.2 Committees of the Governing Board³

2.2.1 Each administrative committee of the Board shall be chaired by an elected member of the Board and may include members from both within and outside the Board. Elected members of the Board are expected to serve on an administrative committee of the Board and to participate in meetings of the sub-committee, usually via Skype, and to contribute actively to the business of the sub-committee.

2.3 Membership of the Academy

2.3.1 As the elected representative of a particular region, each elected Board member is expected to:

- (i) maintain regular communication with member institutions within their region in relation to the activities and affairs of the Academy;
- (ii) use their best efforts to attract applications for membership of the Academy from eligible institutions within their region;
- (iii) report to the Board with respect to any issues or challenges in relation to membership arising within their region; and
- (iv) identify opportunities to conduct meetings, seminars or similar events within their region from time to time on behalf, and in the name, of the Academy.

2.4 Finances and Fund-raising

2.4.1 Elected members of the Board have a duty of care to inform themselves as to the overall financial status of the Academy and to ensure that the budgets and financial controls established for the Academy are appropriate to its financial circumstances.

2.4.2 Elected members of the Board are expected to use their best efforts, taking into account the circumstances within their region, to help identify potential sources of funds for

³ The Governing Board has established the following administrative committees: the Finance and Fund-raising Committee; the Governance Committee; the Membership Committee; and the Web-site Committee. In addition, it has also established two advisory Committees: the Teaching and Capacity-building Committee and the Research Committee. This section of the Guideline is applicable only to the administrative committees of the Board.

the Academy, in the form of possible donors or funders for the overall operation of the Academy or specific Academy activities or events.

2.4.3 In undertaking the responsibility referred to in clause 2.4.2, elected Board members must always act in consultation with the Secretariat of the Academy in order to ensure that any approach made to potential funders is in accordance with the requirements imposed on the Academy under its licence with IUCN and also with the protocols of the University of Ottawa concerning fund-raising.

2.5 Academy Colloquium

2.5.1 Elected members of the Board are expected to attend the annual Colloquium of the Academy and, wherever possible, to present a paper at this event.

2.5.2 Elected members are also expected to support the Secretariat, as needed, during the course of a Colloquium with respect to the chairing of plenary sessions or panels and the conduct of other activities (such as presentations on Academy projects or activities, attending meetings of committees of the Academy or chairing other meetings arranged to be held during a Colloquium).

2.6 Removal of Board Member

2.6.1 Where a member of the Governing Board is considered by the Board to be in serious breach of this guideline, the Board may initiate the procedure under clause 6.7 of the Academy bylaws for the removal of a Board member from office.

3. REMUNERATION OF, AND FINANCIAL ASSISTANCE FOR, ELECTED BOARD MEMBERS

3.1 According to By-law 6.12, "Members of the Board shall, as such, receive no remuneration for their services but may be reimbursed for their proper expenses of attending meetings of the Board or any committee thereof."

3.2 Until such time as the Board considers its finances are sufficient to enable the reimbursement of all elected members of the Board for their expenses in attending Board meetings, the general principle shall be that elected Board members should be supported by their own institution in relation to such expenses (airfares, accommodation and meals).⁴

3.3 In recognition that there may be a lack of capacity on the part of institutions in some regions to provide such assistance to an elected member, either in full or in part, the following procedure shall apply:

- (i) An elected member who is unable to obtain financial assistance from their own institution in relation to all, or part, of the expenses of attending a

⁴ Refer also to clause 2.2, which reinforces this general principle.

Board meeting must notify the Academy Secretariat at least two months before the scheduled date of a Board meeting of the level of financial assistance that they require in order to attend the meeting;

- (ii) the Secretariat, in consultation with the Chair, will advise the elected member making this request of the extent to which the Academy can financially support the attendance of the elected member at the scheduled meeting and shall give preference to members from developing countries in assessing all such requests;
- (iii) in considering such requests, the Secretariat and the Chair will have regard to: (a) the strong desirability of ensuring as far as possible the attendance of all elected members at meetings of the Board; and (b) the level of capacity that exists within the region of the elected member requesting financial assistance to provide such assistance.

3.4 The Secretariat will book accommodation for elected Board members for the duration of a Board meeting and may determine, according to the financial position of the Academy, that the Academy will meet the cost of such accommodation. This clause is not intended to detract from the general principle outlined in clause 3.2 or the special procedure outlined in clause 3.3.