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Proposed Amendments to the Constitution of WOSM



38th WORLD SCOUT
CONFERENCE

38e CONFERENCE
MONDIALE
DU SCOUTISME

14-18 JULY/JUILLET
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SCOUTS
Creating a Better World

PROPOSED AMENDMENTS TO THE CONSTITUTION OF THE WORLD ORGANIZATION OF THE SCOUT MOVEMENT

The attached proposals for amendments to the Constitution of the World Organization of the Scout Movement have been properly submitted and seconded by National Scout Organizations (NSOs) in terms of Article XXIII of the Constitution.

The proposals are being communicated to all NSOs in the form in which they were received by the World Scout Bureau. The form of the proposals, but not the substance, may be slightly amended prior to the Conference to clarify understanding and avoid any ambiguous language.

This document should be studied and discussed by your NSO and brought to the World Scout Conference by your delegation.

The proposed amendments to the Constitution will be introduced in plenary session, then discussed in a Select Committee before a final proposal is made to a plenary session of the Conference for voting. During the discussion in the Select Committee, amendments may be moved and seconded, or proposals may be withdrawn, but no new proposals may be put forward. See Conference Document No. 2, Rules of Procedure.

Under Article XXIII, the Constitution may be amended by the World Scout Conference at any of its meetings by a two-thirds majority of the votes cast.

Other proposals which do not involve amendments to the Constitution may, of course, be submitted by National Scout Organizations as draft resolutions prior to or during the Conference. See Conference Document No. 2, Rules of Procedure.

The Scout Association of Hong Kong has proposed the following amendments, seconded by the Singapore Scout Association and Bharat Scouts & Guides.

Resolution on the composition of the World Scout Committee

The Conference

- mindful of the recent crisis in WOSM on its governance
- concerns with the views expressed in various open letters by concerned NSOs on
 - (i) Unity of World Scouting
 - (ii) Governance of WOSM and WSB
 - (iii) Resolve to overcome differences and disagreements by democratic and constitutional means
- mindful to take immediate steps to improve and rebuild relationship with all the parties concerned,
- mindful to take immediate steps to address any shortcoming and commence greater participation and transparency in the governance of WOSM, WSC and WSB,
- mindful to take immediate steps to improve the participation and decision making in WOSM by NSOs especially for those contribute, shoulder and bear more financial commitment to World Scouting,
- mindful that some Regions with large Scout Population have not been proportionally represented in the World Scout Committee,
- mindful of the imbalance of representation of both geographical and cultural diversity, and financial and membership implication in the World Scout Committee that a review of the World Scout Committee election process and its future constitution become a pressing concern which calls for immediate redress,
- mindful that any failure to address these issues of governance and representation the WSC after the recent crisis of the WOSM may lead to a situation that the World Scout Committee might no longer be respected and/or recognised as the world top leadership of scouting
- noting Conference Document No. 7 of the 37th World Scout Conference on the Governance of WOSM
- noting that the Constitution and By-Laws of the World Organization of the Scout Movement has been in place since July 1983

MOVE to amend Articles XII, XIV and XIX of the Constitution of WOSM by substituting with the following amendments:

THE WORLD COMMITTEE

ARTICLE XII

Composition

1. The World Committee is the executive organ of the World Organization. Its members shall consider the interests of the Movement as a whole and **except those elected under Article XIX 2(b)** shall neither consider themselves, nor be considered, as representing any particular Member Organization or Region.
2. The World Committee shall be composed of the following members:
 - (a) Twelve elected members, who shall be members of recognized National Scout Organizations. They shall be elected by the World Conference, by secret ballot, from a list of nominees submitted by Member Organizations. In no case shall more than one elected member from any one National Scout Organization serve on the Committee in any one period.
 - (b) The Secretary-General of the World Organization, or his appointed representative, as an ex officio member of the World Committee and of all its subsidiary committees.
 - (c) A Treasurer, appointed by the World Committee.
 - (d) Honorary members first appointed by the World Committee prior to July 1, 1971.
 - (e) **The Chairmen of all duly elected Regional Scout Committees.**

3. May also attend the meetings of the World Committee, in a consultative capacity:
 - ~~(a) The Chairmen of all duly elected Regional Scout Committees.~~
 - ~~(b) Such honorary members as the World Committee may first appoint after July 1, 1971.~~

ARTICLE XIV Voting

1. Each elected member of the World Committee including those elected under Article XIX 2(b) shall have one vote.
2. Resolutions shall be taken by a simple majority of the members present and voting. In the event of a tie, the motion is defeated.

REGIONS

ARTICLE XIX Composition

1. Regional Scout Organizations may be established in conformity with the requirements of this Constitution, comprising Members of the World Organization so desiring within a geographical area to be defined from time to time by the World Committee. There shall be not more than one Regional Organization in each area.
2. Each Regional Scout Organization shall be composed of the following organs:
 - (a) A Regional Scout Conference, comprising all Members of the Regional Organization.
 - (b) A Regional Scout Committee, duly elected by the Regional Conference. The duly elected Chairmen of the Regional Committees ~~may attend the meetings~~ shall become members of the World Committee ~~in a consultative capacity.~~
 - (c) A Regional Scout Office, directed by a Regional Executive. The Regional Office is also a branch of the World Bureau, in conformity with Article XVI, paragraph 2, of this Constitution. The Regional Executive is appointed by the World Bureau in agreement with the Regional Committee, is paid by the World Bureau and reports to the Secretary-General to whom he is responsible, and to the Regional Committee.

Explanatory Notes

1. The total membership of the World Scout Committee remains unchanged (20) with
 - (a) 12 elected members serving in their own personal capacity,
 - (b) Secretary General or his appointed representative as an ex officio member,
 - (c) The appointed Treasurer,
 - (d) Six Regional Chairmen,
2. The 18 elected members (12 elected at World Conference, 6 elected at Regional Conference under Article XIX 2(b)) will each have one vote.

The Boys Scouts of the Philippines has proposed the following amendments, seconded by the Scout Association of Hong Kong and Bharat Scouts & Guides.

Resolution on voting at World Conference

The Conference

- mindful of the recent crisis in WOSM on its governance
- concerns with the views expressed in various open letters by concerned NSOs on
 - (i) Unity of World Scouting
 - (ii) Governance of WOSM and WSB
 - (iii) Resolve to overcome differences and disagreements by democratic and constitutional means
- mindful to take immediate steps to improve and rebuild relationship with all the parties concerned,
- mindful to take immediate steps to address any shortcoming and commence greater participation and transparency in the governance of WOSM, WSC and WSB,
- mindful to take immediate steps to improve the participation and decision making in WOSM by NSOs especially for those which contribute, shoulder and bear heavier financial commitment to World Scouting,
- noting Conference Document No. 7 of the 37th World Scout Conference on the Governance of WOSM
- noting that the Constitution and By-Laws of the World Organization of the Scout Movement on NSOs' voting right under Article X section 1 has been in place since July 1983

MOVE to amend Article X of the Constitution of WOSM by substituting section 1 with the following:

THE WORLD CONFERENCE

ARTICLE X Voting

1. Each Member Organization shall have six votes provided that
 - (a) Member Organization which pays more than 10,000 Swiss franc but less than 50,000 Swiss franc annual registration fee which may be revised from time to time by Conference Resolution shall have 12 votes.
 - (b) Member Organization which pays more than 50,000 Swiss franc but less than 100,000 Swiss franc annual registration fee which may be revised from time to time by Conference Resolution shall have 18 votes.
 - (c) Member Organization which pays more than 100,000 Swiss franc annual registration fee which may be revised from time to time by Conference Resolution shall have 24 votes.

and, except as provided for under paragraph 2 of this Article, resolutions shall be taken by a simple majority of the Members present or represented and voting. In the event of a tie the motion is defeated.

Explanatory notes

- All NSOs will maintain their 6 votes laid down by the 1983 Constitution. 111 NSOs (34 in Africa Region, 15 in Arab Region, 10 in Asia Pacific Region, 6 in Eurasia Region, 20 in Europe Region and 26 in Inter America Region remain in having 6 votes.
- Kenya in Africa Region; Egypt and Saudi Arabia in Arab Region, Scouts of China, Malaysia and New Zealand in Asia Pacific Region; Austria, Czech, Denmark, Finland, Greece, Ireland, Israel, Norway, Poland and Switzerland in Europe Region and

Argentina, Brazil, Chile and Mexico in Inter America Region will have their votes increased to 12.

- Australia, Bangladesh, Hong Kong and Pakistan in Asia Pacific Region; Belgium, France, Italy, Netherlands, Portugal, Spain and Sweden in Europe Region will have their votes increased to 18.
- India, Indonesia, Japan, Philippines, Korea and Thailand in Asia Pacific Region; Germany and United Kingdom in Europe Region and Canada and USA in Inter America Region will have their votes increased to 24

Scoutisme Français has proposed the following amendments, seconded by the Scouts Tunisiens

Note: This proposal comprises elements that take the form of a Constitutional Amendment and others which will be the subject of a Conference Resolution. While these will need to be dealt with separately at the World Scout Conference, the proposal is communicated to NSOs in its entirety.

Resolution

The Conference

- considering the concerns expressed by several NSOs on management by the World Committee which include:
 - membership growth and development
 - decentralization of human and financial means
 - efficiency and coherence of management
- considering the concerns expressed by several OSN on the governance of WOSM which include:
 - unity of the Movement
 - participation of NSOs
 - legitimacy, transparency and responsibility
- considering that major dysfunctions have resulted from the current organization of governance and management, that the attack against the legitimacy and the responsibility of the World Committee threaten WOSM's stability, and, that of this fact NSOs have the responsibility to engage without delay change in the governance and the management,
- considering the need for putting in coherence the revision of management and the revision of the governance,
- considering the need that management and governance reflect the principles and values of scouting,
- considering the will of many NSOs to restore confidence,

decides

1) to review the management processes and to:

- set up an effective strategy to support NSOs to achieve membership growth and development and request the World Committee in particular to:
 - decentralize activities and resources at the level of WOSM regional offices and WOSM offices based in geographical and cultural areas
 - strengthen the direct financial or human support to the NSOs that most need it and to establish a monitoring committee on support to the NSOs
- reinforce NSOs participation to decision-making and request in particular:
 - that the Regional Conferences and the conferences of geographical or cultural areas formulate proposals on issues and resolutions to be on the agenda of the next World Conference
 - that the World Committee organize preliminary and open consultation on any major issue put on the agenda of the World Committee
- clarify the mechanisms of responsibility and request the World Committee in particular to:
 - guarantee in a transparent way the respect of the budgetary procedures and the financial control process
 - set up a regular, open and transparent evaluation of the performances of the World Committee and the World Bureau

2) to review the governance in order to guarantee the unity of the Movement on a world level, to reinforce the leadership within WOSM, to clarify the responsibilities and to increase the role of the NSOs in the governance and to:

- mandate the World Committee to propose by 1 January 2010 a review of the composition of the World Committee to be submitted to the next World Conference and this should include:

- one single unity of governance of both the world level and the regional level
 - a representation of the diversity of the NSOs based on geographical and cultural areas
 - a better coherence and efficiency of action of the World Bureau, regional offices and within the geographical and cultural areas
- amend Article XII of the Constitution of WOSM by substituting with the following amendments:

THE WORLD COMMITTEE

ARTICLE XII

Composition

1. The World Committee is the executive organ of the World Organization. Its members shall consider the interests of the Movement as a whole ~~and shall neither consider themselves, nor be considered, as representing any particular Member Organization or Region.~~
2. The World Committee shall be composed of the following members:
 - (a) Twelve elected members, who shall be members of recognized National Scout Organizations. They shall be elected by the World Conference, by secret ballot, from a list of nominees submitted by Member Organizations. In no case shall more than one elected member from any one National Scout Organization serve on the Committee in any one period.
 - ~~(b) The Secretary-General of the World Organization, or his appointed representative, as an ex-officio member of the World Committee and of all its subsidiary committees.~~
 - (b) The Chairpersons of all duly elected Regional Scout Committees.
 - (c) A Treasurer, appointed by the World Committee.
 - ~~(d) Honorary members first appointed by the World Committee prior to July 1, 1971.~~

As far as possible, the World Committee should have a gender balanced composition. As far as possible, at least one Member of the World Committee should be under thirty years old.

3. May also attend the meetings of the World Committee, in a consultative capacity:
 - ~~(a) The Chairmen of all duly elected Regional Scout Committees.~~
 - (a) The Secretary-General of the World Organization, or his appointed representative, as an ex-officio consultative member of the World Committee and of all its subsidiary committees.
 - (b) The Chairperson of the World Scout Foundation.
 - ~~(b)~~(c) Such honorary members as the World Committee may first appoint after July 1, 1971.

4. After the 1 January 2011, each member of the World Scout Committee will be elected with a substitute from the same NSO. The substitute may represent the member with voting right at any meeting that the member could not attend.

Term of Service of Elected Members

- 4.5. Each Member elected by the World Scout Conference is elected for a three-year term and can be re-elected once. No elected member shall hold office for more than six years, ~~one half retiring at each triennial Conference and six new members being elected by vote in their places.~~ A retiring member shall only be eligible for re-election after a lapse of three years. This restriction shall not apply to a member who has been appointed or elected to fill a vacancy and he may be eligible for immediate re-election.

Vacancies

- 5.6. In the interval between the meetings of the World Conference, the World Committee may accept resignations and fill vacancies in its elected members until the next meeting of the World Conference.

The Guides and Scouts of Finland has proposed the following amendment, seconded by the Guides and Scouts of Norway.

THE WORLD COMMITTEE

ARTICLE XII

Composition

1. The World Committee is the executive organ of the World Organization. Its members shall consider the interests of the Movement as a whole and shall neither consider themselves, nor be considered, as representing any particular Member Organization or Region.
2. The World Committee shall be composed of the following members:
 - (a) Twelve elected members, who shall be members of recognized National Scout Organizations. They shall be elected by the World Conference, by secret ballot, from a list of nominees submitted by Member Organizations. In no case shall more than one elected member from any one National Scout Organization serve on the Committee in any one period. At least two of these members shall be below the age of 30 at the time of appointment.
 - (b) The Secretary-General of the World Organization, or his appointed representative, as an ex officio member of the World Committee and of all its subsidiary committees.
 - (c) A Treasurer, appointed by the World Committee.
 - (d) Honorary members first appointed by the World Committee prior to July 1, 1971.

The Guides and Scouts of Finland has proposed the following amendment, seconded by Guidisme et Scoutisme en Belgique and the Guides and Scouts of Norway.

THE WORLD COMMITTEE

ARTICLE XII

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Term of Service of Elected Members

4. ~~No elected member shall hold office for more than six years, one-half retiring at each triennial Conference and six new members being elected by vote in their places. A retiring member shall only be eligible for re-election after a lapse of three years. This restriction shall not apply to a member who has been appointed or elected to fill a vacancy and he may be eligible for immediate re-election. The~~ mandate of each member elected by the World Scout Conference shall last until the next World Scout Conference. An elected member may be re-elected at the next World Scout Conference, with a maximum length of mandate of six years.

The Scouts of Greece has proposed the following amendments, seconded by Pfadfinder und Pfadfinderinnen Österreichs, the Scout Organization of Serbia and the Cyprus Scouts Association.

Note: This proposal is formulated in part on the basis that another proposal to grant voting rights in the World Scout Committee to Regional Chairmen will be adopted by the Conference.

THE WORLD COMMITTEE

ARTICLE XII

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Term of Service of Elected Members

4. ~~No elected member shall hold office for more than six years, one-half retiring at each triennial Conference and six new members being elected by vote in their places. A retiring member shall only be eligible for re-election after a lapse of three years. This restriction shall not apply to a member who has been appointed or elected to fill a vacancy and he may be eligible for immediate re-election. Elected members are elected for a three-year term, from Conference to Conference. Retiring elected members after a first three-year term are eligible for re-election but no member may hold office for more than six years consecutively. Retiring members after six consecutive years in the Committee are only eligible for re-election after the lapse of three years.~~
No member can hold office of voting member for more than nine years in total, in any given combination of elected member and/or Chairman of Regional Scout Committee.

Vacancies

5. ~~In the interval between the meetings of the World Conference, the World Committee may accept resignations and fill vacancies in its elected members until the next meeting of the World Conference. Should vacancies occur in the voting members of the World Scout Committee by the resignation or decease of any of its members, these vacancies shall be filled in the following manner:~~
 - a) ~~Vacancies occurring amongst the elected members of the World Scout Committee shall be filled for the remainder of the term still to be served by the resigning or deceased holder of the seat by the runner-ups in order of election, at the election in which the resigning or deceased member was elected. If meanwhile an elected member from the same National Scout Organization as the runner-up serves on the World Scout Committee, the next runner-up in order of election will be called to fill the vacancy.~~
 - b) ~~Vacancies occurring amongst the Chairmen of duly elected Regional Scout Committees shall be filled by the Vice-Chairmen of the respective Regional Scout Committees. These shall remain as voting members until the end of the term of their Regional Scout Committee.~~

The Asociación de Scouts de Guatemala has proposed the following amendments, seconded by the Asociación de Scouts de El Salvador.

Introduction

Due to recent events, it is our strong belief that National Scout Organizations (NSOs) through the Regional Committee do have to play an important role in the decision and policy making process that best reflects the needs of each region.

WOSM has been quite ineffective in supporting NSOs due to several factors, chief among them the lack of knowledge of the needs of the NSOs and the regions. When a World Body knows and understands and addresses the needs of its constituents, then it becomes efficient and proactive.

It is also important to state that the World Council should have the last say in how the World Bureau manages its funds, by approving an annual budget. Oversight is needed to prevent crisis because of bad financial decisions.

We believe that the Regional Executives, though employed by the World Scout Bureau, should be appointed to office by the Regional Committees in agreement with the Secretary General. The Regional Executive, who will know the needs and requirements of the regions, will have a direct responsibility to the Regional Committee, while also informing the Secretary-General of his activities.

These two changes will better address the issues raised during the recent crisis. WOSM will be able to commit their support to the needs of NSOs.

The end result of our proposals is a strengthening the World Organization through better:

- Accountability
- Transparency
- Integrity
- Democracy

Proposals

The proposals suggested are to the Constitution and By-Laws of the World Organization of the Scout Movement, first published in July 1983 and reprinted in 1990, as presented in the electronic version dated April 2000. For reasons of clarity and space, only the articles that have a proposed change are cited.

Resolution on the Functions of the World Scout Committee

The Conference

- conscious of the governance crisis within WOSM
- conscious of the supervision that the World Committee needs to have over the World Bureau's financial affairs
- conscious of the need to take immediate steps to address shortcomings and improve on accountability and transparency
- noting Conference Document No. 7 of the 37th World Scout Conference on the Governance of WOSM
- noting that the Constitution and By-Laws of the World Organization of the Scout Movement has been in place since July 1983

MOVE to amend Article XIII of the Constitution of the World Organization of the Scout Movement by substituting and/or including the following amendments:

THE WORLD COMMITTEE

ARTICLE XIII

Functions The functions of the World Committee are:

1. To act on behalf of the World Conference between its meetings; to give effect to its decisions, recommendations and policies; and to represent it at international and national events.
2. To promote the Scout Movement throughout the world by means of visits, correspondence, training courses and other appropriate action.
3. To advise and assist Member Organizations in carrying out the purpose, principles and method of Scouting.
4. To recommend the admission of National Scout Organizations applying for membership, and to suspend provisionally the membership of a National Scout Organization.
5. To prepare the agenda and procedure of the meetings of the World Conference, giving consideration to suggestions from Member Organizations, and appoint the Chairman and Vice-Chairmen of the World Conference.
6. To appoint the Secretary General of the World Organization, and to appoint his Deputy or Deputies upon a recommendation of the Secretary General; and to supervise the management of the World Bureau; ~~and to approve its budget.~~
- ~~7.~~ 7. To approve the annual budget and financial statements of the World Bureau, when presented by the Treasurer.
- ~~7.~~ 8. To accept the responsibility for the raising of additional funds.
- ~~8.~~ 9. To approve the constitutions or other laws governing Regional Scout Organizations.
- ~~10.~~ 10. To appoint the Treasurer.
- ~~9.~~ 11. To grant consultative status to such organizations as may be of assistance to the Scout Movement.
- ~~10.~~ 12. To decide upon granting of awards for services to the World Scout Movement.
- ~~11.~~ 13. To exercise other functions resulting from this Constitution and its By-Laws.