

Results of the meeting on the ICOMOS Statutes, 2004 “von Trützscher Report”

Note (October 2009):

For the ease of the discussions, subheadings have been added. Suggested changes in the articles are in italics.

Aims

- 1 It was quite apparent at the scientific symposium held in conjunction with the General Assembly in Victoria Falls that the intangible cultural heritage is of great concern to many of our members throughout the world. Additionally, the intangible cultural heritage is now the subject of a new UNESCO convention. We therefore believe it is important to recognize explicitly the intangible cultural heritage in the organization’s statement of aims. In this regard, we think only a minor change is required. We would suggest the following wording for Article 4.

“ICOMOS shall be the international organisation concerned with furthering the conservation, protection, *restoration*, rehabilitation, enhancement, and *animation* of monuments, groups of buildings and sites, *in both their tangible and intangible dimensions*, on the international level.”

We have also added the words “restoration” and “animation” to make this statement internally consistent with other existing articles of the statutes.

Members

- 2 In the interest of being as inclusive of as possible of all professionals engaged in activities furthering the aims of the organization, we propose to simplify the wording of membership categories in Article 6. We propose to remove the specific lists of professions so we do not exclude by omission any relevant profession.
 - a) 1) Individual Membership shall be open to any individual engaged in the conservation, protection, restoration, rehabilitation, enhancement, or animation of monuments, groups of buildings and sites and supporting the aims and objectives of ICOMOS. Only individual members shall be eligible for office within ICOMOS, in accordance with Article 10.
 - 2) Institutional Membership shall be open to any institution of whatever nature engaged in the conservation, protection, restoration, rehabilitation, enhancement, or animation of monuments, groups of buildings and sites and supporting the aims and objectives of ICOMOS.
 - 3) Sustaining Membership shall be open to any individual or institution wishing to support the aims and activities of ICOMOS.
 - 4) Honorary Membership shall be conferred by the General Assembly, at the proposal of a National Committee, upon individuals who have rendered distinguished services in support of the aims and activities of ICOMOS.

Executive Committee

- 3 Because the Bureau and Executive Committee are crucial to the effective governance of the ICOMOS between meetings of the General Assembly, we believe their membership must be representative of all the regions of the world, small enough to be effective, and free from possible structural conflict and redundancy. We therefore recommend several changes, principally to Articles 9, 10, and 11 that would strengthen and to some extent reduce these bodies.

The Executive Committee would thus be composed of [insert number] members as follows:

- the President of ICOMOS

- [insert number] Regional Vice Presidents
- the Treasurer General
- 12 Members elected by the General Assembly

3-1 In order to ensure that the highest level of our organization is representative of all regions of the world, we strongly recommend establishing regions corresponding to UNESCO regions. A vice president would be elected from each of these regions by the votes of the members of national committees in that region.

3-2 With the election of regional Vice Presidents, it is no longer necessary to ensure regional representation on the Executive Committee and Bureau by co-option. We believe it is imperative to eliminate co-option because this process is inherently un-democratic. In fact, it has exactly the opposite result when an individual who has failed to be elected by the members of the General Assembly is appointed to that position anyway.

3-3 While not in any way reflecting negatively on the excellent present incumbent, we believe the organization would be best served by eliminating the position of Secretary General as a member of the Bureau and Executive Committee and amending Article 15 to give responsibility for staff oversight to the President. First, the position of Secretary General is traditionally administrative in nature while the Bureau and Executive Committee perform legislative and executive functions. The current system has several built-in conflicts. Article 11 states that the Secretary General is charged with the direction and operations of the Secretariat in accordance with broad policy guidelines set by the General Assembly and the Advisory Committee and decisions of the Executive Committee and Bureau. Article 15, on the other hand, states that the President is to appoint the Director of the Secretariat, yet the Secretariat is to be under the direction of *both* the Secretary General and Treasurer General. This raises uncertainty for the staff, lack of clear accountability for staff and Bureau members, and the possibility, realized at times in the history of the organization, for conflict. Eliminating the position of Secretary General as a voting member of the Bureau and Executive Committee would also provide clarity as to who has authority to represent the organization. This authority would be vested in the President and, as delegated by him, in one or more of the Vice Presidents. We believe this would also enhance the position of Vice President, which we propose would become more representative by the institution of regional Vice Presidents. Should the organization require representation on the administrative level, the staff Director of the Secretariat is an appropriate representative for that purpose. We would suggest that the director of the ICOMOS staff could be given the title of Secretary General in the future if the Bureau and Executive Committee felt it was warranted. This change would also require elimination of the position of Assistant Secretary General.

3-4 We recommend that the powers and duties of the President in Article 11 be amended to include those of the Secretary General in the current version of the Statutes:

a) The president of ICOMOS shall convoke the General Assembly, convoke and preside over the Executive Committee and the Bureau, and shall propose their agenda. He shall be an ex-officio member of the Advisory Committee. With the approval of the Bureau, he may delegate his signature for any purpose. The President is charged with the direction and operations of the Secretariat in accordance with broad policy guidelines set by the General Assembly and the Advisory Committee, and the decisions of the Executive Committee and the Bureau.

Article 15 would be consequently amended to read as follows:

“. . . The Secretariat shall be responsible for the day to day operations of ICOMOS, under the direction of the *President*, within the framework of decisions of the General Assembly, , the Executive Committee and Bureau.”

3-5 In order to ensure that the governing bodies of ICOMOS may be convoked in the absence of action by the President, we recommend the following language be added to the powers and duties of the Vice Presidents in Article 11:

In the absence of action by the President, two Vice Presidents may convoke the General Assembly, the Executive Committee or Bureau.

3-6 We would include both the Chairman and Vice Chairman of the Advisory Committee as members of the Executive Committee. (See recommendation for restructuring the Advisory Committee, below.)

3-7 We would propose the elimination of the requirement for members of the Executive Committee that "They shall be in active service." What is "active" and who is to make that determination? If the voting members of the General Assembly believe an individual is qualified and will represent the organization effectively, there should be no bar to that individual.

3-8 We recommend that the combined consecutive number of years a member of the Executive Committee may serve be reduced from 18 years to 12 years. This would provide for a more open leadership, ensuring continuity while providing opportunity for more members to serve in leadership positions. This would in no way prevent an active member who has reached the limit for participating in the Executive Committee from serving the organization effectively through national, international, and ad hoc committees and standing again for election after an intervening term.

4 We believe it is necessary to give the Executive Committee clear authority to recognize and remove recognition from National Committees. We propose the following language be added to Article 10:

The Executive Committee shall recognise the establishment of National Committees, approve their composition, ascertain that their statutes are in conformity with those of ICOMOS and ratify changes in existing statutes of National Committees. The Executive Committee shall withdraw its recognition and dissolve its relationship with a national committee if the Executive Committee determines that a National Committee is not in conformity with ICOMOS states, rules and standards.

5 In order to recognize that there may be multiple categories and amounts of dues, we recommend that the word "rate" in Article 10 be made plural:

It shall set the rates of membership dues.

6 We would recommend neither change in the number of votes allocated to each national committee nor changes to the current system of proxies.

7 While we wish to promote democracy and broad representation, we think an emphasis on voting alone is not in the best interest of the organization. The professional exchange and intellectual synergy created at general assemblies makes our organization truly international in a way that cannot be achieved by individual members simply remaining in their own countries and voting remotely for the bureau and executive committee. As a professional organization we need to encourage active collaboration among members, and this must be done in person. Because it is important to encourage maximum possible attendance at our general assemblies, we do not recommend the adoption of a postal vote. First, we think the imbalance of representation among regions of the world on the bureau can be best remedied by the election of regional vice presidents. Secondly, we would recommend strongly the establishment of a permanent special fund derived from dues and outside sources to assist representatives of developing countries to attend the general assembly. By attending personally, members would not only be able to vote for the bureau and executive committee but also participate fully in the business of the general assembly and the international committees, and have an opportunity

for professional exchange with their colleagues. Representation of those unable to attend could be achieved by retaining the proxy system.

Membership

- 8 We believe Article 7 on termination of membership can be simplified and clarified by the following revision:

A member of ICOMOS shall cease to be a member:

- a) if he should resign by written notice given to his National Committee;*
- b) if he ceases to pay membership dues; or*
- c) if excluded by the Executive Committee for actions in contravention of the aims and objectives of ICOMOS.*

International Scientific Committees

- 9 It is important to recognize that certain guidelines, such as the Eager Principles, have been adopted to standardize the procedures among the scientific committees. We would therefore recommend the amendment of Article 8 b) as follows:

b) Each of these bodies shall adopt its own rules of procedure with regard to its mode of operation, including the election of its officers, according to the ICOMOS statutes and respecting relevant guidelines.

General Assembly

- 10 We believe the issue of a quorum in the General Assembly should be revisited based on the experience in Zimbabwe where the General Assembly was prevented by lack of a quorum from taking necessary actions. The statutes currently provide that when a quorum is not present, the General Assembly shall meet again in 24 hours and its discussions would be valid regardless of the number of voting members present. This presupposes it might be possible for additional members to be called to participate. We believe this is unrealistic. In fact, because of travel schedules and other factors, it is likely that fewer members will be present 24 hours later and the resulting session will be less democratic. On the other hand, it is unacceptable for necessary business to remain completed, possible for another three years, after members have travelled at great expense and difficulty. We would suggest amending the last sentence of Article 9 as follows:

Should this quorum not be reached, the General Assembly shall, one hour later, meet again at the same place; its discussions shall then be valid, irrespective of the number of voting members present.

Advisory Committee

- 11 We recommend several changes to Article 12:

11-1 Paragraph a) be amended to eliminate the redundant phrase authorizing the Advisory Committee to be governed by its own rules of procedure. This is already covered in Article 8.

11-2 To ensure that both National and International Committees are represented among the officers of the Advisory Committee we suggest the following further modification to Paragraph a):

It shall elect its own Chairman and Vice Chairman, one of whom shall be a Chair of a National Committee and the other of which shall be a Chair of an International Scientific Committee.

The phrase “and it may also appoint one or more Vice Chairmen to assist or to take the place of the chairman” would be eliminated.

11-3 Paragraph b) should be modified to include the proposals of International Committees:

“ . . . It shall examine proposals made by National *and International* Committees and shall pass them . . .”

11-4 Paragraph c) should be modified to encourage nominations to the Executive Committee from International Committees:

“ . . . including all nominations received from National *and International* committees together with such further nominations as it shall itself propose.”

National Committees

12 Paragraph a) of Article 13 should be modified to clearly specify that a minimum of 5 members are required for the approval of a new National Committee.

Paragraph e) should be simplified as follows:

Generally, they shall serve as a forum for discussion and for the exchange of national and international information on *matters of interest to ICOMOS*.

International Committees

13 We recommend that article 14 be clarified as follows:

- a) The International Committees are the scientific organs of ICOMOS. They shall, in their respective fields, carry out specialised studies on professional problems with which ICOMOS is concerned and shall be engaged in the development of content for any scientific symposia organized by ICOMOS.
- b) [No changes required.]
- c) Rules of procedure adopted by International Committees are subject to approval of the Executive Committee.
- d) International Committees shall address an annual report to the Executive Committee concerning their membership, officers and activities.

Membership dues

14 The committee strongly recommends that the Executive Committee and Bureau examine and give serious consideration to adopting the recommendations of the French Committee regarding dues. We believe that a revision to the dues structure should also include consideration of how dues might be used to help fund the attendance of members of National Committees from developing countries at the General Assembly as addressed above.