

# SUSPENSION AND TERMINATION OF WOSM MEMBERSHIP

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# **SUSPENSION AND TERMINATION OF WOSM MEMBERSHIP**

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# **SUSPENSION AND TERMINATION OF WOSM MEMBERSHIP**

## **INTRODUCTION**

Article VII, paragraph 1 of the Constitution of the World Organization of the Scout Movement states that

*“1. The World Committee may provisionally suspend the membership of any National Scout Organization which, in its opinion, no longer fulfils the requirements for membership. If the World Committee maintains its suspension, the World Conference at its next meeting shall bear the report of the World Committee and invite the suspended Organization to make its written or oral comments. The World Conference has the broadest power to then decide on an appropriate course of action; if its decision is to expel the Organization, such decision requires a two-thirds majority of the votes cast.”*

The requirements for WOSM membership are stated in Article V, paragraph 3 of the Constitution of WOSM (see *Annex 1*).

The World Scout Committee wishes to draw the attention of the World Scout Conference to the situation of a number of Member Organizations which have either ceased to exist or which no longer comply with one or more of the requirements for membership.

### **1. NATIONAL SCOUT ORGANIZATIONS THAT HAVE CEASED TO EXIST**

Following major changes in the political system in Ethiopia and Iran, Scout activities in both countries have gradually dwindled over the years. Today, it has become clear that the National Scout Organizations in Ethiopia and Iran, as originally recognized by WOSM, have ceased to exist, and while isolated Scout troops have restarted, or continue to operate in both countries, they do so informally and not as part of a National Scout Organization.

The World Scout Committee therefore requests the authorization of the World Scout Conference to remove *The Scout Association of Ethiopia* and *The Scout Association of the Islamic Republic of Iran* from the list of Member Organizations of WOSM.

The World Scout Committee is happy to note that, in the case of Ethiopia, a totally new Scout Organization is presently being set up and should shortly be applying for WOSM membership.

### **2. NATIONAL SCOUT ORGANIZATIONS WHICH NO LONGER COMPLY WITH ONE OR MORE OF THE REQUIREMENTS FOR WOSM MEMBERSHIP**

These are the National Scout Organizations that, following unsuccessful attempts to solve the problems, have led the World Scout Committee to apply the provisions of Article VII, paragraph 1 of the Constitution of WOSM quoted above.

It should be noted that, while several of the National Scout Organizations concerned do not comply with more than one of the requirements for WOSM membership, they are listed below under the main requirement the non-fulfilment of which has led the World Scout Committee to suspend the National Organization.

## **2.1 Non-adherence to the Constitution of the Organization and non-functioning as a democratic National Scout Movement**

This is the case of the *Association Nationale des Scouts de Guinée* (National Association of the Scouts of Guinea) which became a Member of WOSM in 1990. Since its recognition

- two groups have broken away from the original recognized entity and have formed dissident associations. Furthermore, the status of several other groups (Anglican and Moslem) remains unclear,
- the provisions of the national constitution have never been implemented. In particular, no meeting of the General Assembly of the association has ever been convened nor have officers been regularly elected,
- registration fees have not been paid since 1995-1996 and they now total CHF 2,121.

In view of the above considerations, the World Scout Committee decided in September 1997 to suspend the association's membership of WOSM. This decision, together with the conditions needed to remedy the situation and thus terminate the suspension, were communicated to the Chief Commissioner of the association by the Chairman of the World Scout Committee in September 1997. There was no reaction to this letter and the Committee therefore confirmed the suspension in April 1998. This decision, and its consequences, were communicated by the Secretary General of WOSM to the Chief Commissioner of the association in June 1998.

As no significant change in the situation has occurred despite several further contacts, the World Scout Committee recommends to the World Scout Conference the expulsion of the *Association Nationale des Scouts de Guinée*, in the hope that this will speed up a complete restructuring of Scouting in Guinea and enable it to become a truly representative and democratic Movement.

## **2.2 Non-payment of registration fees**

In July 1996, the Oslo World Scout Conference unanimously adopted a new registration fee system designed to distribute the burden of fees in a more equitable manner than the system used to calculate annual fees until 1995-1996, i.e. the year of that Conference.

For about 50% of WOSM Member Organizations, this new system resulted in a reduction in the annual fee to be paid to the World Scout Bureau; the reductions were generally significant, amounting to 90% in certain cases. These reductions have globally been compensated by increases in the annual fee to be paid by more affluent Member Organizations, increases which can also be as high as 90%.

### **2.2.1. Policy on the payment of the registration fees**

The World Scout Committee considered, not only in fairness to all but also because annual registration fees constitute by far the largest part of the World Scout Bureau's operational income, that an enforcement policy to ensure that all WOSM Member Organizations pay their fees in full and on time was a necessary complement to the new fee system.

This policy was discussed and adopted by the World Scout Committee during its meeting held in November 1996. It was circulated to all National Scout Organizations with World Scout Bureau's Circular N° 30/1996 of December 1996.

This policy is attached as *Annex 2*.

### **2.2.2. What happened since the policy was adopted in November 1996?**

At its meeting in April 1997, the first held since the above policy was adopted, the World Scout Committee examined the situation of Member Organizations which had fee arrears, and which could have been provisionally suspended at that meeting had it been decided that the provisions of the policy would be immediately implemented.

The World Scout Committee decided to grant an extra six months to all Member Organizations concerned to clear their situation. A Circular N° 11/1997, on this subject, dated May 1997, was sent to all WOSM Members drawing the attention of those Member Organizations concerned to the fact that they would risk provisional suspension of membership, should they not clear their arrears before the next meeting of the World Scout Committee scheduled to be held in September 1997.

In September 1997, the World Scout Committee met as scheduled, and applied, for the first time, the policy it had adopted by suspending:

- with *full* application of sanctions six (6) Member Organizations which had many years of arrears,
- and with *limited* applications of the sanctions another thirty (30) National Scout Organizations having accumulated arrears over a far shorter period of time, generally one or two years.

Since then, the World Scout Committee met in April 1998, September 1998, and March 1999. On the occasion of each meeting, it spent quite a long time reviewing the list of:

- National Scout Organizations which had been suspended at a previous meeting and had cleared their situation,
- National Scout Organizations which had been suspended at a previous meeting and had not cleared their arrears,
- National Scout Organizations which had newly placed themselves in the situation of being suspended for having unpaid fees (or for other reasons).

All WOSM Member Organizations were regularly kept informed of the decisions taken by the World Scout Committee at these meetings through Circulars distributed with the Scoutpak.

### **2.2.3 What is the situation today?**

Today, at the time of writing this document, the situation is the result of a decision taken by the World Scout Committee at its last meeting held in March 1999. This decision was communicated to National Scout Organizations concerned by personalized letters sent in April 1999 and to all WOSM Member Organizations through Circular N° 5/1999, dated April 1999.

The decision taken by the World Scout Committee at its March 1999 meeting is important because it determines the constitutional situation in which Member Organizations concerned will find themselves at the opening of the World Scout Conference to be held next July in Durban ***if they have not cleared their arrears before that date.***

As a consequence of the above decision, *and unless they have cleared their situation before then*, the National Scout Organizations of the following seven(7) countries will find themselves in a situation of provisional suspension with full application of the sanctions at the opening of the World Scout Conference:

***Central African Republic - Chad - Comoros Island - Ghana - Iraq - Liberia - Syria.***

At this stage it is important to note that:

- the state of provisional suspension is not a state in which a National Scout Organization can remain for an unlimited period of time,
- the next logical step following the state of provisional suspension should normally be termination of membership of the Movement,
- in application of the provisions of the policy on payment of registration fees, Member Organizations that have been provisionally suspended with *full* application of the sanctions are not allowed to attend any world and/or regional event held under the auspices of WOSM,
- according to Article VII, paragraph 1 of the WOSM Constitution, the situation of a National Scout Organization provisionally suspended must be reported upon by the World Scout Committee at the first meeting of the World Scout Conference following that suspension, at which meeting the suspended Member Organization shall be invited to make its written or oral comments.

Consequently, and in order to make sure that Member Organizations concerned can apply their constitutional right to make written or oral comment to the World Scout Conference, the World Scout Committee has decided that it shall invite the Member Organizations concerned to the Durban Conference *for the sole purpose of presenting their case to the Conference*, it being understood that, unless otherwise decided by the Conference, the Member Organizations concerned shall not be authorized to attend the rest of the World Scout Conference. An invitation to this effect will be sent to each of the seven (7) remaining suspended National Scout Organizations.

It is also important to note that, while the above mentioned National Scout Organizations have been suspended for non-compliance with the obligation of payment of registration fees, in some cases this non-payment may also be symptomatic of serious internal problems affecting other requirements of WOSM membership. It is however felt that the non-compliance with the obligation of payment of registration fees is sufficiently important in itself to justify suspension.

#### 2.2.4 What is the next course of action?

The World Scout Committee will present its formal report on suspended Member Organizations to the World Scout Conference at its very first session on Monday afternoon, 26 July. This report may be followed by comments presented orally or in written form by each of the Member Organizations concerned.

After the World Scout Committee has presented its report, and the National Scout Organizations concerned have (or, if they choose, have not) presented their comments, orally or in written form, the World Scout Conference has the broadest powers to then decide on an appropriate course of action which can possibly take two directions.

The *first* is to enter into lengthy debates in plenary session between the World Scout Committee and representatives of the National Scout Organizations concerned, if present, on each of the cases presented, and then have the Conference vote on each case.

The World Scout Committee is of the opinion that this direction may not prove to be the most appropriate and/or efficient one. It is indeed because the dialogue which the World Scout Committee and the World Scout Bureau have had (or have tried to have), sometimes for months, or even years, with the Member Organizations concerned was *not* successful that these Organizations will find themselves in the situation of facing expulsion at the Durban Conference.

It is also because the World Scout Committee's call for support from other Member Organizations in favour of the suspended Member Organizations has been unsuccessful that these Organizations will be in this situation in Durban. In other words, the World Scout Committee has spared no effort and has already done its maximum to try to help these Organizations and does not see that the situation would dramatically change as a result of lengthy debates, which would necessarily be at the expense of other agenda items.

The *second* course of action - which has the preference of the World Scout Committee - is to grant the Member Organizations concerned *an ultimate additional delay* to settle their situation and entrust the World Scout Committee to continue dialogue with these Organizations in the name and on behalf of the World Scout Conference, it being understood that if such dialogue does not result in a positive solution within the granted additional period, each Member Organization concerned will be automatically **expelled** from the World Organization of the Scout Movement, without any additional procedure being needed.

This additional delay would run from the closing date of the Conference until the next meeting of the World Scout Committee scheduled to take place on 13 November 1999.

### **3. PROPOSAL OF THE WORLD SCOUT COMMITTEE**

In view of the above, the World Scout Committee proposes the following resolution to the World Scout Conference.

The World Scout Conference, considering that:

- *it has become clear that the National Scout Organizations in Ethiopia and Iran, as originally recognized by WOSM, have ceased to exist,*
- *requirements for membership and in particular adherence to the Constitution of the Organization and functioning as a democratic National Scout Movement have not been fulfilled by the Association Nationale des Scouts de Guinée for the last eight (8) years,*
- *the requirement of regular payment of their registration fee is no longer fulfilled by seven (7) National Scout Organizations,*

*decides:*

- *to authorize the World Scout Committee to remove The Scout Association of Ethiopia and The Scout Association of the Islamic Republic of Iran from the list of Member Organizations of WOSM,*
- *to expell the Association Nationale des Scouts de Guinée from the World Organization,*
- *to grant to the National Scout Organizations of the following countries: Central African Republic - Chad - Comoros Island - Ghana - Iraq - Liberia - Syria, an additional delay until the next meeting of the World Scout Committee scheduled to be held on 13 November 1999 to clear their fee arrears,*
- *to mandate the World Scout Committee to continue dialogue with the Organizations concerned and mobilize all possible means to reach a suitable solution to the situation of the countries concerned by the date of its next meeting,*
- *that the Member Organizations concerned will be expelled from the World Organization of the Scout Movement if they have not cleared their situation by the next meeting of the World Scout Committee scheduled to take place on 13 November 1999.*

*Extract from the Constitution of the World Organization of the Scout Movement*

**“ARTICLE V**

**Requirements**

1. *Membership in the World Organization is open to all National Scout Organizations which fulfil the requirements for membership. Authority to confer such membership is vested in the World Conference.*
2. *Only one National Scout Organization from any one country can be recognized for membership in the World Organization. A National Scout Organization may consist of more than one Scout Association participating in a Federation based on the common Scout purpose. It is the responsibility of each Federation to ensure that all its constituent Associations meet the requirements of this Constitution.*
3. *Membership of a National Scout Organization in the World Organization requires:*
  - (a) *Establishment of its legal entity and evidence of its national operation.*
  - (b) *Adoption of and sustained adherence to the purpose, principles and method as laid down by Chapter I of this Constitution.*
  - (c) *Enrolment to be open to all who agree to conform with the purpose, principles and method of the Movement.*
  - (d) *Maintenance of the Organization as an independent, non-political, voluntary movement of probity and effectiveness.*
  - (e) *Registration with the World Bureau.*
  - (f) *Regular payment of its registration fees.*
  - (g) *Notification to the World Bureau of any intended changes to its National Scout Constitution relating to matters covered by Chapters I, II and III of this Constitution, before these are finally ratified.*
  - (h) *Submission of an annual report to the World Bureau.”*

**Policy Concerning Payment of Registration Fees adopted by the World Scout Committee at its meeting held on 9-10 November 1996 in Kandersteg, Switzerland**

Considering that:

- a new registration fee system was unanimously adopted at the 34th World Scout Conference in Oslo, in July 1996,
- the new registration fee system is designed to distribute the burden of fees in the most equitable manner possible, taking into account the size and means of all WOSM Member Organizations,
- a special programme of financial assistance was offered to WOSM Member Organizations to encourage and enable full payment of fee arrears prior to the Oslo Conference,
- regular payment of registration fees is a condition of membership under the WOSM Constitution, Article V. 3(f),
- Scouts Honour and fairness to all require that there be an enforcement policy which will encourage full and timely payment of fees by all WOSM Member Organizations,

the World Scout Committee therefore adopts the following policy:

1. Registration fees are due when invoiced by the World Scout Bureau in October of each year. They become past-due 60 days after the date of the invoice of the annual registration fee, and become arrears (delinquent) on 1st October of the following year.
2. As from 1st October 1997, Member Organizations who pay in full their registration fees for the new budgetary year (1 October to 30 September) within 60 days of invoice date, may claim a discount of 2%.
3. With respect to arrears, the Committee will consider exercising its constitutional authority to suspend membership provisionally, due to a Member Organization's failure to fulfill its obligations. This policy shall not bind the Committee in advance to any particular action with respect to a delinquent Member Organization. **However, it is the sense of the Committee that, in principle, Member Organizations with arrears should be provisionally suspended from WOSM membership.** (1)
4. This policy shall be communicated to all Member Organizations upon its adoption and at least annually thereafter.

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*(1) Note: The WOSM Constitution provides that the case of a Member Organization provisionally suspended by the World Scout Committee shall be reviewed by the next ensuing World Scout Conference, which has the broadest authority to decide on an appropriate course of action, including expulsion.*

## World Scout Committee

### Provisional Suspension of Membership

The WOSM Constitution, Article VII, §1, gives to the World Scout Committee the authority to provisionally suspend the membership of a Member Organization which, in the Committee's opinion, no longer fulfills the requirements of membership, including, *inter alia*, the requirement to pay registration fees regularly. If the Committee acts to provisionally suspend a Member Organization and does not subsequently rescind the action, the case will be reviewed by the next ensuing World Scout Conference, which has the broadest authority to decide on an appropriate course of action, including expulsion.

While a provisional suspension is in effect, the suspended Member Organization will lose the rights and privileges of WOSM membership, including:

- the right to receive the services and publications of the World Scout Bureau.
- the right to participate in seminars, training sessions, meetings and other activities organized by the World Scout Bureau. (The suspended Member Organization is constitutionally entitled to make written or oral comments at the next World Scout Conference.)
- the right to have proposals for projects or other financial support reviewed and endorsed by the World Scout Bureau.
- the right to have youth members participate in world or regional events under the auspices of WOSM.
- the right to participate and vote in Regional Scout Conferences and other regional events, insofar as the Constitution of a Regional Scout Organization requires its members to be members in good standing of WOSM.
- the right to have individual members of the suspended Member Organization join committees or stand for election in any organs of WOSM.

**The loss of the above rights will not excuse the Member Organization from the legal and moral obligation to pay all arrears (delinquent registration fees) owed at the time of provisional suspension.**

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*Throughout this note, the term "Member Organizations" refers to both national Scout Organizations which are a single Scout Association as well as National Scout organizations which are a Federation of several Scout Associations.*

*The attention of Federations is drawn to the fact that they are responsible for ensuring that the totality of the Scout Associations comprising them fulfil their financial obligations, otherwise it is the entire Federation which will be subjected to the terms of the policy stated above.*

*It is therefore highly recommended that payments of fees continue to be made directly by the Federations.*