

## **Caribbean and Latin American Region of the IOI - Regional by-laws**

### **CONSIDERING**

That the Ombudsman Institution has been developing in the Caribbean and Latin America under diverse titles, namely, Defender of the People, Complaints Commissioner, Human Rights Attorney and Ombudsman, all of which take place at the municipal, national and regional level, to investigate complaints of unfair treatment by government officials and organisations.

That Ombudsmen undertake their duties in accordance with the constitutional laws and/or norms governing their mandate;

That in 1996, the worldwide body of Ombudsmen, the International Ombudsman Institute ("the IOI") under its By-laws formally established the Caribbean and Latin American Region ("the Region").

Now, therefore, this document records the rules for the operation of the Region and the election of three (3) Directors including a Regional President of the IOI.

1. English may be used as the working language. At meetings, other than the ones referred to in Article 14 of the IOI By-laws, by agreement, Spanish may be used as the working language.
2. The members of the Region shall be those Ombudsmen of the Region who have been admitted to the membership of the IOI. Only Voting members in good standing shall have voting rights.
3. Only Voting members in good standing may be elected as Directors to the Board of the IOI.
4. The Region shall be represented on the Board of the IOI by three (3) Directors, including a Regional President.
5. The organisation of the affairs of the Region shall be the responsibility of the Directors of IOI elected to represent the Region from time to time. The Directors shall, by agreement, determine their own procedures. The Director elected as the

Regional President shall act as Chairperson of the meetings of members of the Region.

6. The Regional President shall include the activities of the Region in the Annual Report of the IOI.
7. The Directors shall determine the regional projects to be undertaken subject to their first ascertaining the views of the members of the Region by such means as the Director consider to be the most appropriate in the circumstances.
8. The Directors may arrange an annual meeting of members of the Region. When an IOI Conference is held, the regional meeting of members shall be held as part of the IOI Conference.
9. The Voting members shall, at each regional meeting held as part of an IOI Conference elect the Directors and the Regional President to which the Region is entitled in accordance with the By-laws of the IOI.
10. Every voting member is entitled to one vote. Voting will be by secret ballot. Any voting member whose annual fees to the IOI are in arrears shall be ineligible to vote.
11. The following arrangements shall apply to the election of the Regional Directors and the Regional President.
  - a. Not later than one month before the opening of the IOI Conference, those Voting members seeking to put their names forward for election will be sought by the Returning Officer who shall be the Regional President, or if the Regional President is seeking re-election as Regional Director, by a Regional Director not seeking re-election. If the Regional President is unable to act as Returning Officer, the Returning Officer shall be a Regional Director not seeking re-election. If all Regional Directors are seeking re-election, a Voting member not seeking election shall be selected by the Regional Directors to act as Returning Officer.
  - b. The Returning Officer will set out a deadline of at least two weeks prior to the opening of the IOI Conference for candidate names to be put forward by e-mail to the Returning Officer.
  - c. If the number of candidate names put forward is greater than three, the Returning Officer shall arrange for an election at the regional meeting held as part of the IOI Conference. The election shall be chaired and supervised by the Returning Officer. The Returning Officer will send the candidates'

names to all the Voting members who are eligible to vote at least one week prior to the opening of the IOI Conference.

- d. Voting members, who will not be in attendance at the regional meeting at the IOI Conference, may vote for up to three candidates in advance by email directed to the Returning Officer. Advance votes must be received before the opening of the IOI Conference.
  - e. There shall be no provision for Voting by proxy.
  - f. Each Voting member present at the regional meeting may vote for up to three candidates. The Returning Officer will tabulate the votes received in advance and at the meeting. The three candidates receiving the highest number of votes will be declared elected. In the event that candidates are tied, a further vote by those Voting members in attendance will be held to determine which of the tied candidates will be elected.
  - g. Following the election of the three Directors, there shall be a further vote by the Voting members in attendance to elect the Regional President from among the Directors.
12. Any vacancies arising between regional meetings caused by the death, resignation, or retirement of a Director shall be filled by electronic voting, which shall be held no more than 90 days after a vacancy is identified. The term of a director elected under this sub-paragraph shall not exceed the term of the other Directors.
13. A Director shall resign his/her office as a Director on vacating office as an Ombudsman.
14. The Directors may make such rules as are necessary to ensure the smooth functioning and operation of the Region as are not inconsistent with any of the preceding rules or any By-laws of the IOI.
15. The members may be a majority vote, in writing, alter, amend or add to these rules at any time and from time to time.