

Caribbean and Latin American Region of the IOI

Regional by-laws

CONSIDERING

That the Ombudsman Institution is known 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 national, subnational and local level, to investigate complaints of unfair treatment by government officials and organisations;

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

That in 1996, the worldwide body of Ombudsman, 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 four (4) Directors including a Regional President of the IOI.

1. English and Spanish may be used as the working language of the Region. At meetings, any one of the official languages generally used by the IOI may, by agreement, be used as the working language.
2. The members of the Region shall be those Ombudsman 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 four (4) Directors, including a Regional President.
 - a) To ensure regional balance as much as possible, each Director shall be from a different country from within the Region, with the understanding that two Directors ought to be from the Caribbean and two from Latin America.
 - b) The Regional Presidency shall rotate between the Caribbean and Latin America, except in cases where otherwise agreed by members of the Region, prior to the election of the Regional President.
5. The organisation of the affairs of the Region shall be the responsibility of the Directors of the IOI elected to represent the Region from time to time. The Directors shall, by agreement, determine their own procedures.
6. The Director elected as the Regional President shall act as Chairperson of the meetings of members of the Region. Meetings may be held by electronics means.
7. The Regional President shall include the activities of the Region in the Annual Report of the IOI.
8. 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.
9. 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.
10. The Voting members shall elect the Directors and the Regional President to which the Region is entitled in accordance with the By-laws of the IOI.
11. 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 or stand for election.

12. The following arrangements shall apply to the election of the Regional Directors and the Regional President.

- a) Regional Directors, including the Regional President, shall be elected prior to the IOI General Assembly. The Secretary General of the IOI will notify the Region of the necessary timeline to start the election. 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. The Region may seek technical assistance from the IOI General Secretariat regarding the election.
- b) Taking into account the timeline as notified by the Secretary General of the IOI, the Returning Officer will set out a deadline of at least two weeks for candidate names to be put forward by e-mail to the Returning Officer. Only Voting members in good standing are entitled to stand for election.
- c) The Returning Officer shall arrange for an election at a regional meeting or by electronic means. 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 according to the timeline provided by the Secretary General of the IOI.
- d) If elections are held at a regional meeting, Voting members, who will not be in attendance at this meeting may vote for up to four (4) candidates in advance by electronic means. Advance votes must be received before the established deadline.
- e) There shall be no provision for Voting by proxy.
- f) Each Voting member at the regional meeting may vote for up to four (4) candidates. The Returning Officer will tabulate the votes received in advance and at the

meeting. The four (4) 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 good standing who are in attendance – or in case of an electronic ballot, by electronic means – will be held to determine which of the tied candidates will be elected.

g) Following the election of the four Directors, there shall be a further vote by the Voting members in attendance – or in case of an electronic ballot, by electronic means – to elect the Regional President from among the Directors.

13. 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 subparagraph shall not exceed the term of the other Directors.

14. A Director shall resign his/her office as a Director on vacating office or in the event of ending the mandate as an Ombudsman.

15. 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.

16. The members may by a majority vote, in writing, alter, amend or add to these rules at any time and from time to time.

August 2021