

**RULES OF PROCEDURE FOR THE OPERATION OF THE JUSTICE
STUDIES CENTER OF THE AMERICAS**

Chapter 1

General Rules

Article 1

These Regulations govern the operation of the Board of Directors of the Justice Studies Center of the Americas (hereinafter the “Center”), whose Statute was approved by resolution AG/RES. 1 (XXVI-E/99) of the General Assembly of the Organization of American States (hereinafter, the “OAS”).

Article 2

In case of conflict between the rules of the Statute of the Center and these Regulations the former shall prevail.

Article 3

Cases not provided for in these Regulations that are not in the Statute of the Center shall be resolved by the Board of Directors.

Chapter II

Composition

Article 4

The Board of Directors shall be composed of seven members elected in their personal capacity by the OAS General Assembly from among the candidates proposed by the member states of the Organization.

Article 5

The members of the Board of Directors shall serve their functions for a period of three years, and in any case, they may not be reelected for more than one consecutive period.

Article 6

The Board of Directors shall be partially renewed every year.

Article 7

The mandates of the members of the Board of Directors shall start as of the first of January of the year following their election by the OAS General Assembly.

Article 8

There may not be more than one member of the same nationality in the election of members of the Board of Directors.

Article 9

Vacancies that occur for any other reason other than the normal expiration of the mandate of Board of Directors members shall be filled by the OAS General Assembly. In this case, the person elected to fill such vacancy shall start its mandate immediately and shall complete the period that corresponded to their predecessor.

Article 10

Before every election, whether it is to replace members due to the normal expiration of their mandates or to fill vacancies that occur for any other reasons, the General Secretariat of the OAS shall invite the governments of member states to present their respective candidates, if they so wish, within 30 days, with the pertinent biographical data, and it shall communicate all of this immediately to the governments. Subsequently, the General Secretariat shall present to the General Assembly a list of the candidates proposed, formulated in alphabetical order of the proposing countries with the respective biographical data on the candidates presented.

Chapter III

Presidency and Vice Presidency

Article 11

The President of the Board of Directors shall be elected by an absolute majority of the members of the Board for a period of two years, or for the time that is necessary to fulfill the pending time period of its mandate as a member of the Board , if this should be less.

Article 12

The Board of Directors shall elect a Vice President by the absolute majority of its members for a period of two years, or for the time that is necessary to fulfill the pending time period of its mandate as a member of the Board , if this should be less.

Article 13

In case of the temporary absence of the President, the Vice President shall replace him or her. In case of the definitive absence of the President, the Vice President shall substitute for the pending time period to end the mandate and a new Vice President shall be elected, concurring the same order of subrogation and substitution.

In case of definitive absence of the Vice President, the Board of Directors shall elect a Provisional President by an absolute majority of its members.

Article 14

The President and the Vice President may not be reelected for an immediate period.

Article 15

The election of the President and the Vice President shall be carried out in separate acts by secret vote. The Board of Directors shall deliver to each member a ballot with the names of all the members of the Board of Directors. Every member shall mark only one name with a cross. The President in office shall immediately proclaim the member who has obtained at least four votes as the one elected for the respective position. If no member is elected on the first vote with at least four votes, a second vote shall be held between the two members who have obtained the highest number of votes in the first round. In said second vote the person who has obtained the highest number of votes shall be elected.

Article 16

The functions of the Presidency are as follows:

- a. To call the meetings of the Board of Directors, according to the Statute of the Center and these Regulations;
- b. To call the meetings to order and adjourn them and to conduct the debates;
- c. To draw up the agenda for the day and to submit the matters included therein for the Board of Directors' consideration;
- d. To give the floor to speakers in the order in which it has been requested;
- e. To decide on questions of order that arise in debates of the Board of Directors;
- f. To submit the points in debate that require a decision to a vote and to announce the results, according to the provisions of the Statute of the Center and these Regulations.
- g. To inform the other members of communications received from the Meetings of Ministers of Justice or Ministers or Attorney Generals of the Americas (hereinafter "REMJAS"), from OAS Agencies, from governments of member states, from members

of the Board of Directors, or others that are qualified in their opinion.

- h. To represent the Board of Directors before other organizations, bodies, institutions and entities;
- i. To attend periods of sessions of the OAS General Assembly and the REMJAS.
- j. To be the intermediary among the members, or between them and other authorities, in all the cases that so require;
- k. To give verbally or in writing the information other members request of it.
- l. To submit the Center's Report on the work performed in a specific period of time to the REMJA for its consideration; and
- m. The other functions conferred thereon by the Statute of the Center, these Regulations, and those assigned by the Board of Directors.

Article 17

At the beginning of each meeting period, the Presidency shall submit to the Board of Directors a report on the manner it fulfilled the powers and functions conferred thereon by the Regulations during the period the Board was in recess; and it shall submit for the consideration of the Board of Directors the order of priority of the matters to be discussed.

Chapter IV

Functions

Article 18

The functions of the Board of Directors, besides the ones provided in the Center's Statutes, are the following:

- a. To establish the rules for the operation of the Executive Directorate, and those deemed necessary for the fulfillment of the obligations that the Statutes have assigned to the Executive Director.
- b. To establish in an Annex to this Rules of Procedure, the grounds for the removal of the Executive Director.
- c. To establish in an annex to these Rules of Procedure the requirements, conditions and terms of reference for:
 - c.1. To approve the cooperation agreements the Center enters into with the OAS

member states and other states, as well as international, national, governmental or non-governmental organizations, among others.

c.2. The establishment and operation of advisory groups.

c.3. The acceptance of national or international, governmental or non-governmental organizations, as associate members of the Center.

Chapter V

Session Periods

Article 19

The Board of Directors shall hold at least one period of regular of meetings annually.

Article 20

The Board of Directors shall also hold special periods of meetings when called by the OAS General Assembly or by the REMJA, or when the Board so decides in view of the importance and urgency of the matter or matters that have to be examined. The Presidency shall make the respective notification through the Executive Directorate.

Article 21

When the Board of Directors is in recess and any of its members proposes a special meeting period be held, the Presidency shall consult with the other members if they are in agreement that such meeting period be held. In case that at least four of the members are in agreement, the President shall perform the respective notification through the Executive Directorate.

Article 22

In the case foreseen in the prior article, the Presidency shall list the matters that shall be considered in the notification. The Board of Directors shall consider only those matters included in the notification.

Article 23

In special cases, the Board of Directors may hold its meeting periods in any other place it designates at the appropriate time, which is not the headquarters of the Center, with the vote in favor of at least four of its members. In case needed it shall first obtain, through the Executive Directorate, the agreement of the respective member state.

Article 24

When the meeting periods of the Board of Directors are held outside of the Center's headquarters, the Board shall request from the Government and private or public entities of the country where they are held to provide the support and services necessary for the better development of said meetings. The headquarters institution shall support the coordination of the activities necessary to carry out these objectives.

Article 25

When the Board of Directors decides to meet outside of its headquarters, to hold special meeting periods or to carry out any other activity that involves expenses, it shall request from the Executive Directorate to adopt the necessary measures to supply the respective funds.

Article 26

Before closing each regular meeting period, the Board of Directors shall set the starting date for the next meeting period. In case this is not foreseen in that moment, record of this fact will be left in the respective resolutions.

Article 27

During its recess, at the request of any of its members, the Board of Directors may decide, by a majority of five votes, according to an inquiry made by the Presidency for that purpose, and by means of any media, on the change of date of a regular or special meeting that has been previously and duly established.

Article 28

The extension of a regular meeting period beyond the date established originally for its closing shall require the vote in favor of at least five of its members.

Chapter VI

Meetings

Article 29

At the beginning of regular meeting period, the Board of Directors shall approve a work agenda. The subjects to be dealt with, may originate from resolutions adopted in the preceding regular meeting period, or by the respective REMJA. Other new matters can be included in the agenda, with the support of at least two of the Board members.

Article 30

All OAS member states, as well as the associate members, and the Executive Director of the Center shall have the right to participate in the meetings of the Board of Directors with voice but without the right to vote.

Article 31

The Board of Directors may invite the advisory groups foreseen in article 15 of the Statute of the Center to its meetings, and may also invite those organizations with a particular interest in the process of justice reform in the region, and request from them to make presentations over subjects of their competence.

Article 32

The bodies, entities or organizations not foreseen in the above provisions and whose competence is related to issues that are considered at the meetings of the Board of Directors, may attend such meetings, with the previous special authorization granted by the President of the Board of Directors.

With this purpose, an application must be filed to the Board with at least 15 days prior to the relevant meeting is to be held. The rejection to this application must be explained and notification provided to the applicant, leaving a record of the same at the beginning of the respective meeting.

Article 33

The meetings of the Board of Directors shall be recorded in summarized minutes, that shall set forth the time and day; the names of members and other participants present; the matters discussed, decisions adopted, and statements expressly made to be included therein.

Article 34

The final reports of meetings held by the advisory groups shall include, in summarized form, the information referred to in the preceding paragraph.

Chapter VII

Quorum and Voting

Article 35

The quorum necessary to held a meeting of the Board of Directors shall be constituted by the absolute majority of its members.

Article 36

The Board of Directors may held preparatory meetings with the presence of three of its members. The preparatory meetings shall be merely deliberative.

Article 37

On the Board of Directors each member shall have one vote. Decisions shall be adopted by the vote of the majority of the members present at the meeting, unless specifically provided otherwise.

Article 38

Voting shall be carried out by raising one's hand, but any member of the Board of Directors may request for a nominal vote, which shall be carried out following the order of precedence. There shall be secret votes in the cases and form provided in these Regulations. In all cases, the President may propose, with the agreement of the Board, other means to perform the voting.

Article 39

No member of the Board of Directors may interrupt the voting process, unless it is due to a question of order related to the manner in which the voting is being carried out.

Article 40

If announced at the time of voting, members of the Board of Directors shall have the right to include a justified vote, in favor or dissenting, after the principal decisions have been approved, and they shall deliver the text thereof within a period of no more than ten days.

Chapter VIII

Final Provisions

Article 41

These Regulations shall enter into force on the date of their approval by the Board of Directors.

ANNEX OF BY-LAW

For Associated Members of the Center

Article 42.- All entities indicated in article 8 of this Statute may be Associated Members of the Center with no limitations other than those indicated in these by-laws

and those imposed on them by their own by-laws.

Article 43.- In order to become an Associated Member of the Center, an application must be presented to the Executive Director, expressing at least:

- a. The institutional background of the applying entity, indicating the Principal representative and an Alternative, if one exists, the Board of Directors, legal personality, statutes or by-laws and operational, financial or organic links with any other kind of organization.
- b. The reasons that motivate their interest in associating with the Center, as well as expressing the proposed contributions to be made to the organization. Contributions may consist of voluntary contributions, professional services or any other kind of benefits to the Center's work.

Article 44.- Once this application is submitted, it will be reviewed by the Executive Director, who may request that it be clarified or completed if background details have been omitted. In the same way, the Executive Director may request references on the entity from other institutions or entrust the entity itself to the attachment of a note with such references issued by a third institution known to the Center. Once this process is concluded, the Executive Director will produce a report to be transmitted to the Directive Council along with the application, the purpose being that the Council takes a decision regarding the proposed membership.

Article 45.- It will be the Council that makes the final determination whether to admit, reject, or require more details on the information presented by the applying entity.

The resolutions issued by the Council with this purpose will be governed by the rules of Chapter VII of these By-laws and will not be open to appeal.

Article 46.- The Executive Director will be informed of the resolution that contains the Council's decision, and will transmit the admission, rejection or condition of its application to the interested party. The resolution will specify the course of action to specify the contributions proposed by the institution.

An organization will be understood to be an Associated Member of the Center once it receives an authenticated copy, attested to by the Director, of the resolution notifying its admission.

The Executive Director must keep an open record of these resolutions, which will be updated every year and made known by means that insure its due knowledge between the Member States of the Center.

The Executive Director must attend to the timely and suitable fulfillment of the contributions pledged by the organization.

Article 47.- The Executive Director may delegate one or more of the proceedings indicated in this chapter to the Executive Secretary of the Center.

Article 48.- The participation of the Associated Members at Council meetings is governed by that set forth in article 30 of the By-laws.

Likewise, the Associated Members may submit documents, works, studies, proposals or written observations for the Council's consideration, provided that these be transmitted to the Executive Secretary at least thirty days before the meeting of the Directive Council, if it is wished that these be incorporated in the respective agenda.

The Executive Director jointly with the Secretary will consider the timeliness of the application and the relation of the subject contained therein, and will decide the inclusion of any of these documents in the Council meetings. Subsequently, the Secretary must give justified notice to the Associated Member of the result of its application and will list at the beginning of the Council meeting all documents presented with express indications of which will be undertaken in the session, save the exception in article 22 of the By-laws.

For the effects of entering into cooperation agreements, the Associated Members will be governed by article 10 of the Center's Statutes.

Article 49.- An Associated Member may renounce this condition after having advised the Executive Director in writing.

For the effects of cessation of the exercise of rights and fulfillment of obligations, it is understood that an Associated Member stops being such 60 days after the reception by the Executive Director of the notice indicated in the first paragraph, at the headquarters of the Center.

Once the renunciation is received, the Executive Director will proceed to annul the respective listing in the register of Associated Members and will inform the Executive Council of this in their next meeting.

Likewise, associated members may cease to be so for non-fulfillment of the contributions offered. Such circumstances must be certified by the Executive Director and settled by the Directive Council

Of the Consultant Group

Article 50.- Consultant Group will be understood to mean any public or private organization, national or international organization, or group of natural persons organized specifically for these effects, which is linked to the Center for a given time

with regards to a specific subject which has been resolved by the Directive Council, having been proposed by the Executive Director.

Article 51.- The proposal of the Executive Director will specify the purpose and the time period for which the Consultant Group should be constituted, as well as a list of institutions or associations that could form it. This list should be accompanied by at least the following information:

- a) Institutional and organic definition of the entity, clearly identifying its principal representative, and documents supporting its creation and legal personality, if it has one.
- b) Mission, objectives and the context in which it will perform its activities.
- c) Outline of a Work Plan which links its current work to specific functions of the Center.
- d) Background and curricula confirming special knowledge and experience, in the case of natural person.

Article 52.- With the purpose of confirming the constitution of a Consultant Group, the Executive Director, by Council mandate, will sign with the Group's members a participation agreement, in which will be expressed:

- e) The main purpose for its constitution.
- f) The specific actions to be undertaken by the group, as well as the time period granted for completion.
- g) The methods by which the results obtained will be verified.

This agreement will be exempt from the procedures indicated in article 10 of this Statute, without prejudicing the possibility that the Consultant group may enter into a cooperation agreement on a subject different from that which motivates its formation.

Article 53.- In the Council Meetings, the Consultant Groups will have the same rights as the Associated Members in accordance with the regulations in Chapter V of these By-laws.

The results and conclusions of the work entrusted to them will always be presented to the Directive council by the Executive Management.

Article 54.- The permanency of the Consultant Group is subject to the conclusion of the work for which it was created, or that the time period indicated for this effect elapses

with results that the Council deems insufficient and which do not merit an extension.

Notwithstanding the previous, the Council may renew the participation agreement provided that new actions are proposed which are within the main purpose of its constitution and which are coherent with new requirements of the Center.