

## TRIAL International – Statutes

### **Art. 1 – Name, headquarters, term**

1. TRIAL International is an Association governed by article 60 and the following articles of the Swiss Civil Code.
2. The headquarters of TRIAL are in Geneva.
3. The Association is constituted for an indefinite period.

### **Art. 2 – Objectives**

The objectives of TRIAL International are:

- a) The fight against impunity of perpetrators, accomplices, or instigators of genocide, war crimes, crimes against humanity, torture, enforced disappearances, **the crime of aggression, and grave human rights violations, serious environmental damage or other significant violations of international law related to conflict situations;**
- b) To defend the interests of victims of such acts before all national or international bodies or jurisdictions;
- c) To develop and reinforce, both in Switzerland and at an international level, mechanisms and structures to permit the prosecution and judgment of the perpetrators, accomplices and instigators of genocide, war crimes, crimes against humanity, torture, enforced disappearances and the crime of aggression;
- d) To promote overall public awareness, particularly within the legal profession, of the necessity to foster international justice through the fight against impunity.

### **Art. 3 – Means**

To achieve the objectives specified in Art. 2, TRIAL International will in particular :

- a) Establish a group of international experts qualified to assist it in the achievement of these objectives.
- b) Implement and coordinate an international network of jurists and other professionals as well as NGOs to intervene in court, support victims in their endeavours, and/or serve the organisation's objectives.
- c) Encourage input from the scientific community and where appropriate in collaboration with academic or other disciplines.
- d) Exploit all useful means to educate and inform its members and the public.
- e) Cooperate with Swiss and foreign organisations pursuing similar goals.
- f) Build up the necessary connections with the relevant political and judicial authorities in the fight against impunity.

#### **Art. 4 – Members**

1. Any natural or legal person who accepts the objectives of the association and who pays the annual fee can become a member of the Association. The fee amount is determined by the General Assembly.
2. The Committee decides on the admission of new members and on the exclusion of members for cause.
3. Every member, whether individual or corporate, has one vote at the General Assembly.
4. Membership is automatically lost due to non payment of dues for two consecutive years. A final reminder is sent to the member reminding **them** that unpaid contributions remain payable.

#### **Art. 5 – Financial Resources**

1. The resources of the Association come from:
  - a) Membership fees
  - b) Donations and bequests
  - c) Public or private contributions
2. The sole assets of the Association shall guarantee the commitments taken. The members have no personal liability whatsoever in relation to the debts of the Association.

#### **Art. 6 – Organs**

The organs of TRIAL International are:

- a) The General Assembly
- b) The Committee
- c) The Executive Board
- d) The auditor

#### **Art. 7 – The General Assembly**

1. The General Assembly meets at least once a year when convened by the Committee.
2. In addition, an extraordinary General Assembly may be convened on request of one fifth of the members.
3. The written convocation must reach the members at least two weeks before the General Assembly and include the agenda as well as the proposed decisions.
4. The General Assembly is empowered to:
  - a) Elect the Committee, the President and the Auditor
  - b) Approve the Annual Reports
  - c) Determine the amount of the membership fee
  - d) Amend the statutes by a majority of 2/3 of the voting members
  - e) Decide the case of a member appealing **their** exclusion by the Committee

- f) Dissolve the Association and allocate its assets
- g) Decide upon any issues submitted to it in due time.

#### **Art. 8 – The Committee**

1. TRIAL International is managed by a Committee of 7 to 9 members, elected for two years. The mandate is renewable. Membership of the Committee takes place on an unpaid basis.
2. The President, elected by the General Assembly, automatically becomes a member of the Committee.
3. The Committee appoints within its members the Vice-President, the Secretary and the Treasurer, who together form, with the President, the Executive Board. It also appoints the Director of the Association. The Committee takes into consideration the need for gender balance and for wide diversity of expertise when assigning these posts.
4. The association is legally committed through the signature of the President, Vice President, the Treasurer, or the Director.
5. The Committee organises its own work. It is competent for all matters that do not fall within the purview of the General Assembly. It adopts internal regulations which establish, in particular, its tasks and functions and those of its members, as well as those of the Executive Board and of its members, and outline the internal control mechanisms for the association's activities as well as risk management mechanisms.
6. The Committee may create working groups, which will report their activities to it.
7. The Committee may decide to exclude a member for justified reasons.
8. The Committee encourages the implementation of Art. 3(c) of the present statutes by calling upon, if necessary, the competencies of members or other persons or institutions who are not members of the association.

#### **Art. 9 – The Executive Board**

1. The Executive Board is composed of the individuals mentioned in Art. 8(3) of the present statutes.
2. Outside of Committee meetings, the Executive Board manages the day-to-day business and handles all the tasks assigned to it in the Internal Rules. It may delegate its duties to the Director.
3. The Executive Board holds the sole responsibility to decide upon criminal cases to go ahead in Switzerland or abroad pursuant to the present statutes and in the manner prescribed in the Internal Rules.
4. The Executive Board upholds confidentiality measures necessary to achieve the goals of the association. Its members undertake not to disclose information relating to criminal proceedings of which they are aware.

#### **Art. 10 – The Director**

1. The Director exercises all of the functions that do not fall within the purview of the association's other organs. **S**/he implements the means necessary for the realisation of the association's objectives.

2. The Director prepares the work of the Committee and of the Executive Board and participates as an advisory member.
3. The Director hires the association's staff, to whom s/he may delegate a portion of his/her functions. S/he is the association's primary spokesperson.

#### **Art. 11 – Auditor**

The Auditor audits the accounts according to best practices and submits his report annually to the General Assembly.

#### **Art. 12 – Dissolution of the association**

1. TRIAL International is dissolved whenever the General Assembly, with a 3/4 majority of voting members, so decides.
2. The assets of the Association are transferred to a non-profit institution having similar goals and benefiting from a tax exemption. Under no circumstances may the assets be attributed to the physical founders or to the members, nor may it be used by them, in the whole or in part, for their own benefit in any manner whatsoever.

Statutes adopted in Geneva on 6 June 2002, and amended by the General Assembly on 3 June 2005, on 30 March 2007, on 25 November 2007, on 13 March 2008, on 10 March 2011, on 23 March 2012, on 26 March 2013, on 21 April 2015, on 28 April 2016, on 4 May 2017 and on 10 June 2021.

Only the French version of the present Statutes is legally binding.