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 strengthen, nationally and internationally, mechanisms and structures to prosecute and judge those responsible for the acts mentioned in letter a of this article;

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 the production of scientific contributions, 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;

d) Income from events and product sales.

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. 7a – Hybrid General Assemblies and electronic participation

1. The General Assembly may be held in person, in hybrid form (physical presence and remote participation) or entirely remotely, provided that the identification of members and the integrity of deliberations are guaranteed.
2. The Committee determines the format of the General Assembly and establishes the practical arrangements, including the conditions for identification, participation and voting.
3. Votes cast electronically in accordance with the arrangements established by the Committee are legally equivalent to votes cast in session.

Art. 8 – The Committee

1. TRIAL International is managed by a Committee of 5 to 9 members, elected for three years. The mandate is renewable up to a maximum of 12 years. 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 bound by the collective signature of two persons: the President, the Vice-President and the Treasurer.
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.

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 whether to initiate criminal proceedings on the basis of universal or extraterritorial jurisdiction, in accordance with the procedures laid down in the internal regulations.
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.

5. The Committee may designate one or more Committee members to replace a member of the Executive Board who is unable to attend a specific session. The substitute shall have, for the session concerned, the same rights and obligations as the member replaced.

Art. 10 – The Executive Director and the Management Team

1. The Executive Director exercises all powers not vested in other bodies of the association. He/she implements the means necessary to achieve the association's goals, in particular by surrounding him/herself with a Management Team.
2. The Executive Director prepares the work of the Committee and of the Executive Board and participates as an advisory member.
3. The Executive 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.
4. The Association is bound by the collective signature of two members of the Management Team. Internal regulations shall specify the modalities of application and specific cases.

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 18 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, on 10 June 2021, on 14 June 2023 and on 13 June 2024 and on 4 June 2026.

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