

Trial - Statutes

Art. 1 – Name, headquarters, term

1. TRIAL (TRack Impunity ALways) 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 are :

- a. To fight against impunity of the perpetrators, accomplices and instigators of genocide, war crimes, crimes against humanity, torture, enforced disappearances and the crime of aggression;
- b. To defend the interests of the victims of such acts before the Swiss courts and the International Criminal Court.
- 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

(Article 2 was modified by the General Assembly on 3 June 2005 and on 30 March 2007).

Art. 3 – Means

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

- a. Establish and coordinate a network of lawyers capable of instituting legal proceedings.
- b. Encourage input from the scientific community, eventually in collaboration with academic or other disciplines.
- c. Use all relevant means (internet, internal memos, published reports, organisation of seminars etc.) to educate and inform its members and the public at large.
- d. Collaborate with Swiss and foreign organisations pursuing similar goals.

e. Build up the necessary connections with the relevant political and judicial authorities in the fight against impunity.

Art. 4 – Members

1. Any individual, or any organisation, association or movement which accepts the objectives of the association and which 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. An appeal is possible to the General Assembly.
3. Each member, whether individual or corporate, has one vote.

Art. 5 – Financial Resources

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

Art. 6 – Bodies

TRIAL has the following bodies :

- a. The General Assembly
- b. The Committee
- c. The auditor

Art. 7 – The General Assembly

1. The General Assembly meets at least once a year upon call by the Committee.
2. In addition, an extraordinary General Assembly may be convened on request of one fifth of the members.
3. The written notice calling the meeting must reach the members at least two weeks before the General Assembly and include the agenda.
4. The General Assembly is empowered to:

- a. Elect the Committee, the President and the Auditor
- b. Approve the Annual Report
- c. Determine the amount of the membership fee
- d. Amend the statutes by a majority of 2/3 of the voting members
- e. exclude a member for cause, on proposal of the Committee, or rule on the appeal of a member refused admission by the Committee
- f. Dissolve the Association and allocate its assets
- g. Decide upon any items submitted to it.

Art. 8 – The Committee

1. TRIAL is managed by a Committee of 5-14 members, elected for two years. The mandate is renewable. The participation in the Committee is voluntary. If in addition one member is a wage-earner of the Association this member will only have a consultative vote.
2. The President, elected by the General Assembly, automatically becomes a member of the Committee. Whenever possible, the linguistic diversity of the country will be taken into account for the election of other members.
3. The Committee appoints the Secretary, the Treasurer and two Vice-Presidents of the Association. As far as possible, the Committee takes into consideration the linguistic diversity of the country when assigning these posts.
4. The Secretary assists the Committee in its functions and, jointly with the President, acts on the measures adopted.
5. The Association is legally committed through the signature of the President, one of the Vice-Presidents, or the Secretary.

(Article 8 was modified by the General Assembly on 13 March 2008.)

Art. 9 – Activities of the Committee

1. The Committee organises its own tasks. It has responsibility for all matters which are not allocated to the General Assembly.
2. The Committee may set up working groups which report back to it on their activities.
3. The Committee sets up a delegation including the President, the two Vice-presidents and the Secretary, having sole responsibility to initiate legal proceedings within the boundaries of these statutes.

4. This delegation observes the confidentiality necessary for the accomplishment of the objectives of the Association. Its members take a commitment not to divulge information related to any legal proceedings of which they have knowledge.

5. The Committee sets up and directs a network of lawyers as mentioned in Art.3. a) of the present statutes.

6. It also gives special attention to implement Art. 3. b) of the present statutes by taking into account, where appropriate and necessary, the particular knowledge of members or of institutions which are not members of the Association.

7. Outside normal meetings of the Committee, the President, the Vice-Presidents and the Secretary manage the day to day business.

(Article 9 was modified by the General Assembly on 30 March 2007.)

Art. 10 – Auditor

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

Art. 11 – Dissolution of the Association

1. TRIAL is dissolved whenever the General Assembly, with a $\frac{3}{4}$ majority of the 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 the property may be attributed to the physical founders or to the members; nor may it be used by them, in whole or in parts, for their own benefit in any manner whatsoever.

(Article 11 modified at the General Assembly on 25 November 2007.)

Statutes adopted in Geneva on 6th June 2002, and amended by the General Assembly on 3 June 2005, on 30 March 2007, on 25 November 2007 and on 13 March 2008.