

# **Statutes of EXODUS DIGNITY NETWORK**



## **NAME SEAT AND DURATION**

### **Article 1**

The association « EXODUS DIGNITY NETWORK » in short, « EXODUS » is a non profit association governed by the present statutes and by Article 60 et sec. of the Swiss Civil Code. It is politically neutral and non denominational. It's seat is in Geneva and has a unlimited duration.

## **AIMS**

### **Article 2**

EXODUS has the following social aims :

a/ To promote legal representation, social assistance and spiritual support at national borders and in transit zones, to asylum seekers and persons declared inadmissible and in the course of expulsion.

b/ To promote the application, principally at european borders, of humane, just and transparent procedures in favor of asylum seekers and persons declared inadmissible or in the process of being sent back.

c/ To promote exchange and cooperation between all the actors engaged in above mentioned problematical situations.

d/ To promote respect of the rights of man, of lawfulness and of a just proportion in the non-admission or expulsion procedures.

The Association can put into effect all actions directly or indirectly connected with it's aims or take an interest in all activities similar to it's objectives.

## **FINANCIAL RESOURCES**

### **Article 3**

The financial means of the Association are constituted as follows :

- 1/ Membership fees
- 2/ Public or private subsidies.
- 3/ Donations or legacies.
- 4/ Any other lawful resources.

The Association's assets are utilized in accordance with its social aims and solely for obligations or commitments contracted in its name. Members have no personal liability.

## **MEMBERS**

### **Article 4**

Are members of the Association :

- 1/ The collective members. These can be any moral persons such as, almonries, social services, legal services at national borders and transit zones, directly implicated in the assistance of asylum seekers or strangers held or exlulsed, or in any way interested in the realization of aims consistent with Article 2 of the present statutes.
- 2/ Individual members. These can be any persons, physical or moral, in agreement with the aims as defined by Article 2 of the present statutes and who participate actively in the Association or contributes to its financial support.
- 3/ Collaborators of the Association during their term of function.

Demands for admission are addressed to the Committee who refers them to the General Assembly and on its approval, considers the candidates admitted.

Membership ceases :

- 1/ On death

2/ By written resignation addressed to the Committee provided the resignee is free of all financial or other constraint with regard to the Association.

3/ For non payment of annual dues, at the latest during the month following the sending of a reminder by registered letter to the last known address.

4/ By unexcused absences at two consecutive General Assemblies.

5/ By exclusion.

## **ORGANS**

### **Article 5**

The organs of the Association are :

1/ The General Assembly

2/ The Committee

3/ The Auditor

Auditors cannot be members of the Committee.

## **GENERAL ASSEMBLY**

### **Article 6**

The General Assembly is the Association's supreme authority. It comprises all its members.

It shall hold an ordinary meeting once a year. All members shall be notified of the General Assembly by mail or E mail sent to the last known address, at least a fortnight prior to the GA.

The notification shall mention the date, hour and venue of the Assembly and the proposed agenda.

The Committee can invite any outside person to attend the Assembly, in part or totally.

## **Article 7**

The Association may hold an extraordinary session whenever necessary at the request of the Committee or of at least one fifth of its members.

## **Article 8**

The General Assembly is empowered to act according to its lawful attributes and the present statutes.

It is competent in the following items :

- 1/ The modification of statutes.
- 2/ The election or repeal of Committee members.
- 3/ The appointment or discharge of the auditors.
- 4/ It notes the contents and reports and financial statements of the past year as well as the minutes of the preceding year's agenda and votes on their adoption.
- 5/ It fixes the annual membership fees.
- 6/ The admission of new members and the exclusion of members.
- 7/ The dissolution of the Association.

The General Assembly shall be considered valid regardless of the number of members present.

Decisions of the General Assembly shall be taken by a majority vote of the members present except in the case of the dissolution of the Association or the exclusion of a member.

A decision is deemed accepted when the collective members and the individual members accept it by a double majority vote. In case of deadlock, the President, or his or her substitute, has the casting vote.

## **Article 9**

The Association members may be invited to take decisions in the course of a yearly exercise, by correspondance, mail or E mail, on any particular subject or at the request of a member, except in the case of the dissolution of the Association or the exclusion of a member.

The Committee makes sure that each Association member can take part in the ballot by means of a letter sent to the last known address.

The result of the ballot shall be sent to all the Association members.

The decision is deemed valid as if taken by the General Assembly and comes into effect immediately.

## **COMMITTEE**

### **Article 10**

The Committee carries out and applies the decisions of the General Assembly. It administers the Association's assets and carries out all acts that further the purposes of the Association.

The Committee takes rulings on all points which are not the exclusive competence of the General Assembly. It is competent to draft rules of procedure. It is composed of at least five members elected by the General Assembly. Each member's term of office shall be of one year, renewable.

The Committee appoints within itself, a President, a Treasurer, and a Secretary. In the case of the President's absence, another Committee member shall take his or her place. If none volunteers, the Presidency falls to the oldest member present.

Committee decisions are taken at a majority vote of half the members present plus one. In case of deadlock, the President has the casting vote.

The Committee is authorized to exclude members who do not carry out their obligations with regard to the Association, have a harmful conduct or whose attitude is contrary to the present statutes. However, an exclusion can be pronounced only by the General Assembly by a two thirds majority vote.

Committee meetings may be held by telephonic means or the internet.

### **Article 11**

Committee members work on a volunteer basis and as such can only be reimbursed for their actual expenses and travel costs.

For activities beyond their usual functions, each Committee member is eligible for appropriate compensation.

The paid employees of the Association have only a consultative vote in Committee ballots.

### **Article 12**

The Association is legally bound by the signature of two Committee members.

In the case of extraordinary expenditure, the signatures of the President and Treasurer are mandatory.

In case of absence, other members shall take their place.

## **VARIOUS PROVISIONS**

### **Article 13**

The financial year shall begin on January the 1st and end on December the 31st of each year.

Exceptionally, the first term shall begin on the 29th of January 2015 and end on december the 31st 20015.

### **Artcle 14**

Modification of the statutes are subject to the approval of the General Assembly. The proposed modifications shall be joined to the notification together with the agenda and adopted by a valid two thirds majority vote and a double majority as meant in Article 8 of the present statutes.

### **Article 15**

The dissolution of the Association can be decided only in the course of a General Assembly, on condition that the proposal be included in the agenda. The decision can be taken only by a two thirds majority vote of the members present.

In case of dissolution, the General Assembly shall appoint one or several liquidators and decide on their executive powers. This nomination puts an end to the Committee's mandate.

Assets remaining shall be attributed to a tax exempted institution of public benefit pursuing a similar aim as that of EXODUS.

Under no circumstances should the assets be returned to the founders or members nor be utilized by them in part or totally.

The present statutes were adopted by the founding Assembly on January the 29th 2015 and modified by the General Assembly on February 26th 2015.

The present version is definite.

*The present bylaws are written in English and French, the French version will prevail in case of dispute.*