

#### Reform of the statute of the association

General assembly of Thursday 29 February 2024

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#### 1. EXPLANATORY STATEMENT

In collaboration with the member associations and non-member faculty-level associations, the committee of ACCORDER has been working for three years on the manner by which collective members participate in the association and by which they are represented by ACCORDER.

Indeed, as joint association of the teaching and research staff ("collaborateurs et collaboratrices de l'enseignement et de la recherche", CCER) which represents other CCER associations, ACCORDER is an umbrella organisation of CCER at the supra-faculty level at the University of Geneva.

In practice, however, collective members have little or no power in the decision-making processes of the association. Decisions taken by the General Assembly and the Committee are therefore binding on other associations, without them having any say in the matter.

#### 2. WORK SUMMARY

#### 2.1. First reform of the statute of ACCORDER

Initial work was carried out in 2021 and resulted in the January 2022 version of the statute of Association, which (1) establishes the Assembly of Delegates, comprising the collective members, as an association ordinary body of the association and (2) specifies the procedures for consulting the member associations when the association signs a public position paper.

During the implementation process and discussions with the faculty-level associations, it became apparent that:

- (1) It is problematic that the consultation procedures stipulate that, in the absence of response from a member association, it is considered that the latter supports the subject of the consultation and signs the position paper.
- (2) The consultation deadline set out in these procedures in untenable and does not allow member associations to consult their members.

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(3) The Assembly of Delegates remains a purely consultative body, with no decision-making power.

To address these limitations, the committee has been working on ways to give member associations the ability to express their views explicitly on the public positions of the association and to increase their competence, so that ACCORDER can legitimately represent them.

#### 2.2. Working group on consultation procedures with member associations

To this end, a working group on consultation procedures was set up with the faculty-level associations of the Faculty of psychology and education sciences. This group met on May 15, 2023, to discuss the issues and possible solutions for representing the member associations. During the meeting, the committee committed to revising the statute to specify the competence of the assembly of delegates. The meeting was supplemented by discussions within the committee and between committee members and members of the working group.

### 2.3. Reflections of the functioning of ACCORDER

In addition, the committee considered several points of caution in its work:

- The status of "umbrella association of the CCER at the University of Geneva" is not clear. According to its statute, ACCORDER in the "joint" association of CCER (art. 1); it represents both individual and collective members from all faculties, centres, and institutes, as well as collective members, that is faculty-level associations (art. 3). Some members of the committee of ACCORDER sit on organs (faculty "conseil participatif", "commission du personnel", University Assembly) granting them privileged access to the executive bodies of the University (deanships, rectorate). However, the association as such is not always considered to be a point of reference internally, even though it is very involved in the national network of CCER associations (for instance, Academia petition, actionuni). Furthermore, ACCORDER currently represents only three faculty-level associations of the nine faculty of the university, although it also represents individual members of other faculties. To appear as a legitimate interlocutor, ACCORDER needs to increase its representation within the university and develop a system that gives greater importance to its member associations.
- Some faculties do not have a CCER association, but staff from these faculties can become individual members of and be represented by ACCORDER. By giving preponderant power to the member associations, ACCORDER fully invests its status as an umbrealla association but run the risk of abandoning its joint vocation, as specified in the aims of the association (art 2 al 4).
- The workload of committee members is heavy, particularily in the absence of administrative and technical support (for instance, permanent secretary). There is a risk that the activities of the association will be curtailed or even suspended if one or more members finish their term of office prematurely or do not fully carry it out. Given the importance of the involvement of an umbrella association in the current situation of CCER, it is not advisable to take such a risk. Moreover, this risk is particularly high if individual members sit on the committee, since there is no safety net in the event of the committee being reduced in size. As an alternative, the seats could be filled by the member associations if collective members were represented on the committee.

#### 2.4. The current project of reform of the statute

Therefore, the committee presents the following project of reform of the statute designed to provide practical solutions to the limitations raised throughout this work. Two alternative versions

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are proposed. It should be noted that both versions seek to improve the wording and internal consistency of the statute of the association, as well as to specify the role and powers of each body.

Version A repeals the article on consultation procedures and makes consultation of the Assembly of Delegates part of the ordinary decision-making process of the association for its public positions. The Assembly of Delegates is therefore empowered to adopt the public position statements of the association. This version gives decision-making power to member associations in their representation by ACCORDER but leaves them only with consultative power in all other cases. This version could consequently be adopted on a provisional basis (for instance, for a period of 12 or 24 months) to respond to the most urgent problems but will require more long-term work on how to really integrate the member associations into the running of the association.

Version B abolishes the Assembly of Delegates as a body independent of the General Assembly but introduces voting rights for collective members within the General Assembly, as well as a requirement for a double majority of individual and collective members for all decisions taken by the General Assembly. This version equalises the power of individual and collective members, thus allowing full representation of collective members. It is likely that this version will be adopted in the long term.

#### 2.5. Consultation of the faculty-level associations

At its Assembly of Delegates on 14 November 14, 2023, the Committee submitted this project of reform of the statute to the member associations. It also invited the non-member CCER faculty-level associations to attend.

Both versions were discussed at the session and, although the need for reform was recognised, the Assembly of Delegate did not wish to favour one version over the other. After discussion, it was decided to conduct an electronic consultation over a longer period to allow the faculty-level associations to study the proposed reform of the statute at greater length.

Of the 6 associations invited to take part in this electronic consultation, two provided feedback to the Committee. The Committee therefore decided, after consultation, to maintain the two versions and to open a discussion at the General Assembly.

#### 3. PROPOSED MODIFICATION OF THE STATUTE OF THE ASSOCIATION

As a result, the ACCORDER committee is proposing that the statute of the be amended in one of the following two versions.

After discussion and, if necessary, amendment of the projects, the Committee will put both versions to the vote.

If both versions are accepted by the General Assembly, the Committee proposes to organise a preference vote to decide which version will be adopted by the association.

Current statute	Version A	Version B
Article 1: NAME		
Under the name of ACCORDER (Association commune du corps des collaborateurs et collaboratrices de l'enseignement et de la recherche [hereinafter CCER] of the University of Geneva), is constituted a non-profit association in accordance with the present statute and with articles 60 and following of the Swiss Civil Code. It has legal personality, its duration is unlimited, and its seat is in Geneva.		
Article 2: PURPOSE		
<sup>1</sup> ACCORDER works for a democratic, participatory, and inclusive university and for a high-quality university.		
<sup>2</sup> To achieve these general goals, ACCORDER promotes:		
<ul> <li>A fair representation of the different bodies in the decision-making processes of the University of Geneva.</li> </ul>		
b. Equal opportunities within the University of Geneva.		
c. The defense of the professional interests of the CCER by fighting against the precariousness of positions		

and promoting early-career researchers.		
d. The cohesion and joint action of the CCER beyond faculty divisions.		
e. Fair compensation of the work and recognition of the skills of CCER members.		
f. The recognition of doctoral students as early-career researchers.		
Article 3: MEMBERS		
<sup>1</sup> The association is composed of individual and collective members.		
<sup>2</sup> Individual membership is open to any member of the CCER, as well as any person enrolled in a doctoral program at the University of Geneva, who adheres to the purpose of the association, and who makes a written application to the Committee.	<sup>2</sup> (Modified) Individual membership is open to any member of the CCER as defined by article 4, paragraph 4 of the Règlement sur le personnel de l'Université of March 17, 2009, as well as any person enrolled in a doctoral program at the University of Geneva, who adheres to the purpose of the association, and who makes a written application to the Committee.	<sup>2</sup> (Modified) Individual membership is open to any member of the CCER as defined by article 4, paragraph 4 of the Règlement sur le personnel de l'Université of March 17, 2009, as well as any person enrolled in a doctoral program at the University of Geneva, who adheres to the purpose of the association, and who makes a written application to the Committee.
<sup>3</sup> Collective membership is open to any CCER association recognized by the University of Geneva that wishes to support the association by adhering to its purpose and that makes a written request to the Committee.		

	<sup>4</sup> (New) Individual members of a member association automatically become individual members of ACCORDER.	<sup>4</sup> (New) Individual members of a member association automatically become individual members of ACCORDER.
<sup>4</sup> The Committee shall decide on applications for membership and inform the General Assembly.	4 (Repealed)	4 (Repealed)
<sup>5</sup> Collective members participate in the life of the association without voting rights. They cannot be elected to the Committee.	<sup>5</sup> (Modified) Collective members participate in the life of the association without voting rights. They cannot be elected to the Committee.	<sup>5</sup> (Modified) Collective members participate in the life of the association without voting rights. They cannot be elected to the Committee.
Article 4: MEMBERS RESIGNATION		
Each member has the right to withdraw from the association at any time by simple written request to the Committee.		
Article 5: LOSS OF MEMBERSHIP STATUS		
<sup>1</sup> Individual membership shall automatically cease at the moment when the function of member of the CCER ends.		
<sup>2</sup> In principle, collective membership is for an unlimited period. However, it shall automatically cease in the event of the dissolution of the association or the withdrawal of the status of recognized association.		
Article 6: MEMBERS EXCLUSION	Article 6 (Modified): MEMBERS EXCLUSION	

On the proposal of the Committee, the General Assembly may exclude a member who, by his or her behavior or statements, seriously contravenes the purpose and interests of the association.	On the proposal of the Committee or of the Assembly of Delegates, the General Assembly may exclude a member who, by his or her behavior or statements, seriously contravenes the purpose and interests of the association.	
Article 7: BODIES	Article 7: BODIES (Modified)	Article 7: BODIES (Modified)
The organs of the association are the General Assembly, the Assembly of Delegates of the member associations, the Committee, and the Auditors.	The organs of the association are the General Assembly, the Assembly of Delegates of the member associations, the Committee, and the Auditors.	The organs of the association are the General Assembly, the Assembly of Delegates of the member associations, the Committee, and the Auditors.
Article 8: GENERAL ASSEMBLY		
<sup>1</sup> The General Assembly is the supreme body of the association. It is chaired by a member of the Committee.		
<sup>2</sup> It shall meet in ordinary session at least once every academic year.		
<sup>3</sup> At the request of the Committee or of one fifth of the individual members of the association, it may be convened in	<sup>3</sup> (New) It can be convened in extraordinary session at the request of either:	<sup>3</sup> (New) It can be convened in extraordinary session at the request of either:
extraordinary session.	a. Of the Committee.	a. Of the Committee.
	b. Of a fifth of the individual members.	b. Of a fifth of the individual members.
	c. Of fifth of the collective members.	c. Of fifth of the collective members.
		<sup>4</sup> (Modified) The notice of meeting and the agenda of ordinary <del>and extraordinary</del> sessions shall be communicated to the members at

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<sup>4</sup> The notice of meeting and the agenda of ordinary and extraordinary sessions shall be communicated to the members at least two weeks in advance.

<sup>5</sup> The General Assembly is validly constituted when at least three individual members are present.

<sup>6</sup> Decisions of the General Assembly shall be taken by a simple majority of the individual members present, except where otherwise provided for in these Statute. They shall relate exclusively to the items on the agenda accepted at the beginning of the meeting. Any member may request that an item be added to

least thirty days in advance. All members can ask that a point be added to the agenda, on the condition that it is sent to the Committee at least fifteen days in advance and that the Committee informs the members at the earliest opportunity.

- <sup>5</sup> (New) The notice of extraordinary session and the agenda shall be sent to members at least fifteen days in advance. Any member may request that an item be added to the agenda, on the condition that it is sent to the Committee at least seven days in advance and that the Committee informs the members at the earliest opportunity.
- <sup>6</sup> (Modified) The General Assembly is validly constituted when the two following conditions are simultaneously met:
  - d. At least ten individual members are present.
  - e. At least half of the collective members are present.
- <sup>7</sup> (Modified) Decisions of the General Assembly shall be taken by a double majority of present individual members and present collective members, except where otherwise provided for in these Statute. They shall relate exclusively to the items on the agenda approved at the beginning of the meeting. Any member may request that an item be added to

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the agenda, provided that it is sent to the Committee at least one week in advance and that the Committee informs the members as soon as possible.

- <sup>7</sup> Only individual members shall have the right to vote and to stand for election.
- <sup>8</sup> Its tasks and powers shall include all those not expressly assigned to another body, in particular:
  - To define the means to be used to achieve the purpose defined in article
  - b. To elect the Committee and the auditors.
  - c. To approve the management report and the accounts presented by the Committee and to grant discharge to the Committee.
  - d. To approve the report of the auditors and give them discharge.
  - e. To fix the amount of any membership fees.
  - f. To decide on the exclusion of a member (art. 6).

- <sup>8</sup> (Modified) Its tasks and powers shall include all those not expressly assigned to another body, in particular:
  - To define the means to be used to achieve the purpose defined in article
     2.
  - b. To elect and revoke the Committee.
  - c. To elect the auditors.
  - d. To approve the management report and the accounts presented by the Committee and to grant discharge to the Committee.
  - e. To approve the report of the auditors and give them discharge.
  - f. To fix the amount of any membership fees.
  - g. To decide on the exclusion of a member (art. 6).

the agenda, provided that it is sent to the Committee at least one week in advance and that the Committee informs the members as soon as possible.

- <sup>8</sup> (Modified) Only individual members shall have the right to vote and to stand for election.
- <sup>9</sup> (Modified) Its tasks and powers shall include all those not expressly assigned to another body, in particular:
  - To define the means to be used to achieve the purpose defined in article
     2.
  - b. To elect and revoke the Committee.
  - c. To elect the auditors.
  - d. To approve the management report and the accounts presented by the Committee and to grant discharge to the Committee.
  - e. To approve the report of the auditors and give them discharge.
  - f. To fix the amount of any membership fees.
  - g. To decide on the exclusion of a member (art. 6).

g. To amend the statute.	h. To modify the statute.	h. To modify the statute.
h. To decide on the dissolution of the association.	i. To decide on the dissolution of the association.	<ul> <li>To adopt, on the proposal of the Committee or one member, the public position statements of the association.</li> </ul>
		j. To decide on the dissolution of the association.
Article 9: ASSEMBLY OF DELEGATES		(Repealed)
	<sup>1</sup> (New) The Assembly of Delegates is the body of the association that bring together the collective members. It is chaired by a member of the Committee who does not have the right to vote.	
<sup>1</sup> The Assembly of Delegates of ACCORDER consists of at least one representative per member association as well as one representative of ACCORDER.	<sup>2</sup> (Modified) It consists of at least one representative per collective member as well as at least one representative of the Committee. The members of the Committee do not have the right to vote.	
<sup>2</sup> The Assembly of Delegates is chaired by a member of the ACCORDER Committee who has no voting rights.	<sup>2</sup> (Repealed)	
	<sup>3</sup> (New) It is validly constituted when at least half of the collective members are present.	
<sup>3</sup> The Assembly of Delegates shall meet at least once every six months. It is convened by the Committee or at the request of a member association. The ACCORDER Committee or the	<sup>4</sup> (Modified) It shall meet on ordinary sessions at least once every six months. It is convened by the Committee or at the request of a member association. The ACCORDER Committee or the	

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member association shall propose an agenda at least ten days before the meeting. Any member may request to add an item to the agenda, provided that it is sent to the Committee at least five days in advance and that the Committee communicates it to the members as soon as possible.

- member association shall propose an agenda at least thirty days before the meeting. Any collective member may request to add an item to the agenda, provided that it is sent to the Committee at least fifteen days in advance and that the Committee communicates it to the members as soon as possible.
- <sup>5</sup> (New) In an emergency, the Committee or a collective member may convene an extraordinary meeting of the Assembly of Delegates. In such a case, they shall propose an agenda at least fifteen days in advance and briefly explain the reasons for doing so.
- <sup>6</sup> (Modified) Decisions shall be taken by a simple majority of the members present. They shall relate exclusively to the items on the agenda approved at the beginning of the meeting.
- <sup>7</sup> (Modified) Each collective member as well as the ACCORDER Committee has one vote. If possible, the delegate should not be a member of the ACCORDER Committee.
- <sup>4</sup> Decisions shall be taken by a simple majority of the members present. They shall relate exclusively to the items on the agenda accepted at the beginning of the meeting.
- <sup>5</sup> Each member association as well as the ACCORDER Committee has one vote. If possible, the delegate should not be a member of the ACCORDER Committee.
- <sup>6</sup> The tasks of the Assembly of Delegates shall be:
  - To define and propose matters in line with the decisions taken by the General Assembly.
- 8 (Modified) Its tasks shall be:
  - To define and propose matters in line with the decisions taken by the General Assembly.

b. To take a position on the issues proposed by the Committee, on their merits, or on the way forward.	<ul> <li>To take a position on the issues proposed by the Committee, on their merits, or on the way forward.</li> </ul>	
c. To take knowledge of the decisions related to the executive activities of the Committee.	c. To take knowledge of the decisions related to the executive activities of the Committee.	
d. To make the link between the different associations.	d. (New) To adopt, on the proposal of the Committee or at least one of the collective members, the public position statements of the association.	
	e. (New) To make the link between the different associations.	
Article 10: COMMITTEE		Article 9 (Modifié)
	<sup>1</sup> (New) The Committee is the ordinary executive body of the association.	<sup>1</sup> (Nouveau) Le Comité est l'organe exécutif ordinaire de l'association.
<sup>1</sup> Consists of at least four individual members and a maximum of eleven individual members including a treasurer, appointed by the General Assembly for one year. The mandates are renewable. In addition, the Committee appoints from among its members the person who chairs the General Assembly and the Assembly of Delegates. <sup>2</sup> In principle, no more than two members of an association may sit on the ACCORDER Committee. This limit may be exceeded in case	<sup>2</sup> (Modified) [Modification related to gender pronouns that applies only to the French version]	<sup>2</sup> (Modifié) Consists of at least four individual members and a maximum of eleven individual members including a treasurer, appointed by the General Assembly for one year. The mandates are renewable. In addition, the Committee appoints from among its members the person who chairs the General Assembly and the Assembly of Delegates.

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of recruitment difficulties within the Committee

- <sup>3</sup> Organize itself freely, ensuring a fair rotation of responsibilities.
- <sup>4</sup> Represents the association with respect to third parties. In this respect, it may designate one or more individual or collective members to represent the association with respect to third parties.
- <sup>5</sup> Sits validly when at least two of its members are present.
- <sup>6</sup> Meets as often as necessary, but at least once per academic year.
- <sup>7</sup> Decisions are made by a simple majority of the members present.
- <sup>8</sup> Carries out the day-to-day business of the association, including:
  - a. To execute the mandates entrusted to it by the General Assembly and the Assembly of Delegates.
  - b. To instruct people or associations for the execution of particular tasks.

- <sup>4</sup> (Modified) It organize itself freely, ensuring a fair rotation of responsibilities.
- <sup>5</sup> (Modified) Represents the association with respect to third parties. In this respect, it may designate one or more individual or collective members to represent the association with respect to third parties. It may propose a public position statement for the Association at the General Meeting.
- <sup>6</sup> (Modified) It sits validly when at least two of its members are present.
- <sup>7</sup> (Modified) It meets as often as necessary, but at least once per academic year.
- <sup>8</sup> (Modified) Its decisions are made by a simple majority of the members present.
- <sup>9</sup> (Modified) It carries out the day-to-day business of the association, including:
  - To execute the mandates entrusted to it by the General Assembly and the Assembly of Delegates.
  - b. To instruct people or associations for the execution of particular tasks.

- <sup>4</sup> (Modified) It organize itself freely, ensuring a fair rotation of responsibilities.
- <sup>5</sup> (Modified) Represents the association with respect to third parties. In this respect, it may designate one or more individual or collective members to represent the association with respect to third parties. It may propose a public position statement for the Association at the General Meeting.
- <sup>6</sup> (Modified) It sits validly when at least two of its members are present.
- <sup>7</sup> (Modified) It meets as often as necessary, but at least once per academic year.
- <sup>8</sup> (Modified) Its decisions are made by a simple majority of the members present.
- <sup>9</sup> (Modifié) It carries out the day-to-day business of the association, including:
  - To execute the mandates entrusted to it by the General Assembly and the Assembly of Delegates.
  - b. To instruct people or associations for the execution of particular tasks.

	<del>,</del>	<u>,                                      </u>
<sup>9</sup> The treasurer is responsible for keeping the accounts. They must submit them to the General Assembly.		
<sup>10</sup> May invite to one of his meetings, in an advisory capacity, any person or association he deems useful.	<sup>11</sup> (Modified) It may invite to one of his meetings, in an advisory capacity, any person or association he deems useful.	<sup>11</sup> (Modified) It may invite to one of his meetings, in an advisory capacity, any person or association he deems useful.
<sup>11</sup> Regularly informs the members of its activities.	<sup>12</sup> (Modified) It regularly informs the members of its activities.	<sup>12</sup> (Modified) It regularly informs the members of its activities.
<sup>12</sup> Presents an activity report at the ordinary General Assembly.	<sup>13</sup> (Modified) It presents an activity report at the ordinary General Assembly.	<sup>13</sup> (Modified) It presents an activity report at the ordinary General Assembly.
	<sup>14</sup> (New) It may, on its own initiative, submit a project to the General Meeting or the Assembly of Delegates.	<sup>14</sup> (New) It may, on its own initiative, submit a project to the General Meeting or the Assembly of Delegates.
Article 11: TERMS OF CONSULTATION AND REPRESENTATION OF THE MEMBER ASSOCIATIONS	(Repealed)	(Repealed)
<sup>1</sup> In the event that a statement has the support of all ACCORDER member associations, it is signed "ACCORDER".		
<sup>2</sup> In case of disagreement or abstention of one of the member associations on a strategic direction or other elements decided by the Assembly of Delegates or the General Assembly, the statement is signed "ACCORDER Committee" followed by the list of only those associations that support said direction or elements.		

<sup>2-bis</sup> In case of urgency, the ACCORDER Committee consults all the delegates. It gives the delegates a period of two working days to respond and to request a position from the committees of the different member associations. The committee of the member association has five working days to consult its base. Once this period has expired and unless the committee of the member association decides otherwise, it is agreed that the member association supports the project.		
Article 12: AUDITORS	Article 11 (Modified)	Article 10 (Modified)
<sup>1</sup> Two auditors are elected by the GA for a period of one year, renewable. They are not members of the Committee. <sup>2</sup> Their task is to check and approve the accounts and to present their report to the		
ordinary General Assembly.		
Article 13: RESOURCES  The resources of the association are composed of possible membership fees, the amount of which is fixed annually at the General Assembly, donations, bequests, and subsidies or any other resources that its activities may provide.	Article 12 (Modified)	Article 11 (Modified)
Article 14: LIABILITY	Article 13 (Modified)	Article 12 (Modified)

<sup>1</sup> The association is legally bound to third parties by the signature of two members of the Committee, including the treasurer, and		
mandated by the Committee.		
<sup>2</sup> The members are not personally liable to third parties for the financial and other commitments of the association.		
Article 15: MODIFICATION OF THE STATUTE & DISSOLUTION	Article 14 (Modified)	Article 13 (Modified)
<sup>1</sup> Decisions concerning the modification of the statute, or the dissolution of the association can only be taken by a General Assembly with a two-thirds majority of the individual members present.		<sup>1</sup> (Modified) Decisions concerning the modification of the statute, or the dissolution of the association can only be taken by a General Assembly with a double majority of the two-thirds of the present individual members and of the present collective members.
<sup>2</sup> The liquidation is carried out by the Committee.		
<sup>3</sup> Unless otherwise decided by the General Assembly, the liquidators settle the outstanding issues, realize the assets, and execute the obligations of the association. After payment of the debts, if there are any assets left, they will be given to an organization with a similar purpose.		
Article 16: EFFECTIVE DATE	Article 15 (Modified): EFFECTIVE DATE	Article 14 (Modified): EFFECTIVE DATE

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These Statute were adopted by the General Assembly on May 20, 2014, amended at the General Assembly on December 17, 2015, amended at the General Assembly on October 7, 2020, and amended at the General Assembly on January 21, 2022, written in epicene form in January 2022 in accordance with the UNIGE Inclusive and Epicene Writing Guideline of March 2020.

- <sup>1</sup> These Articles of Association come into force on the day following their adoption by the General Meeting.
- <sup>2</sup> They repeal the statutes of 20 May 2014, amended at the General Meeting of 17 December 2015, amended at the General Meeting of 7 October 2020, and amended at the General Meeting of 21 January 2022, drafted in epicene form in January 2022 in accordance with the UNIGE "Rédaction inclusive et épicène" directive of March 2020.
- <sup>1</sup> These Articles of Association come into force on the day following their adoption by the General Meeting.
- <sup>2</sup> They repeal the statutes of 20 May 2014, amended at the General Meeting of 17 December 2015, amended at the General Meeting of 7 October 2020, and amended at the General Meeting of 21 January 2022, drafted in epicene form in January 2022 in accordance with the UNIGE "Rédaction inclusive et épicène" directive of March 2020.