

WIKIMEDIA CH

Wikimédia CH – Verein zur Förderung Freien Wissens
Wikimédia CH – Association pour l'avancement des connaissances libre
Wikimedia CH – Associazione per il sostegno alla conoscenza libera



Analysis about the localization of the Wikimedia Chapter's Council in Geneva

	Name	Function	Date
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Version history

Date	Revision	Comment
22 Mar 2012	1.0	Draft
22 Mar 2012	1.1	Addition of the summary and first approval

Brief description

Wikimedia Switzerland has assigned to Ms.Chantal Ebongué the mandate to explore the possibility to have the localization of the Wikimedia Chapter's Council in Geneva and to be in touch with the local administration to analyze all advantages of this selection. As first step she has contacted the state of Geneva and the offices dedicated to this activity.

Summary

- ✓ Geneva is the second place in the world (NY is the first) which welcomes NGO's (about 250) and hundreds of international organizations
- ✓ In Geneva there is the opportunity to be helped by the Geneva Welcome Centre for all the administrative requirements for this setting
- ✓ There is the possibility to receive some financial support from the state of Geneva
- ✓ In Geneva there is the possibility to be in contact with about 40,000 delegates which stay in Geneva
- ✓ To beneficiate of all the infrastructures that Geneva developed for the international organizations
- ✓ Good conditions to organize congresses or meetings (hotels, conference halls, events,...)
- ✓ Financially, there is the possibility to have a budget in CHF, which is very stable
- ✓ Good bank and insurance services
- ✓ Good administrative assistance and good facilities (i.e. International airport and central position in Europe)

Definition of an NGO organization in the Swiss law

A non-governmental organization (NGO) is defined as an **independent** institution created under national private law. It is **non-profit** and pursues **goals of international public utility, in two countries at least**.

It is worth noting that there is **no internationally recognized definition** of an NGO.

The association is a **moral person** in law, has its own legal personality and **enjoys all civic rights**.

Non-profit does not mean the association cannot make a profit, only that any profits must be re-invested in the work of the association in order to fulfill the defined purposes.

Overview of the international NGOs located in Geneva

- "International Geneva" is the home of many different types of organizations which are active in fields as varied as humanitarian aid, trade, human rights, the environment and sustainable development, training and education, peace-keeping and security, meteorology, intellectual property, nuclear research, health, telecommunications and labor. The international community of Geneva, in the broadest sense, is made up of international organizations (governmental and non-governmental), foreign missions to the organizations and the staff who work for all these bodies.
- **40,000 employees** of the international organizations, not including some **2,400** employees of non-governmental organizations (NGOs).
2700 lectures and meetings, 173'000 delegates in 2011. Geneva and New York, seat of the United Nations Organization (UNO), are the two most important focal points of international co-operation in the world
- Switzerland is host to **36 organizations** which have signed headquarters agreement, fiscal agreements or agreements on privileges and immunities with the Swiss Federal Council. These agreements are available for national representations or NGO depending on international big organizations as UNO, ILO or WTO. It will not be possible for Wikimedia's Chapters Council.
- About **250 non-governmental organizations** have their seat in Geneva.
- **168 foreign States (169 including Switzerland) are represented in Geneva** by a permanent mission or representation (to the United Nations Office at Geneva and to other international organizations, to the World Trade Organization-WTO - and/or the Conference on Disarmament -CD).

Income and outcome

Non-profit organizations have, in principle, a general tax exemption

Sponsoring by the state of Geneva (max. 40'000 CHF per year, but it pays no salaries)

The sponsoring of the project must, in principle, fulfill all the following cumulative conditions:

- It is non-profit
- It does not undertake religious or political advocacy.
- It has activities in at least two countries.
- It has regular activities in the Canton of Geneva.
- The association must set up its headquarters or representation under Swiss law, and have a street address in the Canton of Geneva. A post office box (alone) is not enough. It must also demonstrate that it has real activities in Geneva.
- It operates in the fields of excellence of International Geneva, namely: humanitarian action, mediation, disarmament, human rights, the economy, education and training, the environment, peace and law, health, sciences, information technology, and labor.
- It guarantees good operational, administrative and financial management of the project, as well as its viability and sustainability.
- It provides tangible support to the project, financial and/or in-kind. It must have other sources of support.
- It exhibits transparency with regard to its sources of finance, in accordance with the Law (LSGAF).
- A subsidy must be used strictly for the project presented in the request. No change of assignment may be made without the express agreement of the supervisory authority. Any unspent balance must be returned to the State.

Outcome : price of renting an office (about 300 CHF/m2 per year in Geneva) and salaries.

Administrative requirement

To create an association the Swiss law requires a **minimum of three people** to create an association. The creation of an association is free of charge.

The statutes must be in **writing** and adopted by a **constitutive General Assembly**. They should be concise, precise and clear. Details not formally related to the statutes may be set out in rules of procedure or other *ad hoc* document. The statutes do not need to be authenticated before a notary. The association does not require ministerial visa or prefectural approval if it is in conformity with the law. No registration is required under Swiss law.

Only the General Assembly has the authority to **amend the statutes**. Rules of procedure may be amended by an elected committee.

An association equips itself with organs provided for in the law and in the statutes, namely:

- **A General Assembly** (comprising all members of the association)
- **A Committee** (comprising at least a president, a secretary, and a treasurer)
- **An auditor**

As soon as the statutes have been adopted by the General Assembly, the association has legal personality and may exercise its legal rights. It can begin its activities.

The NGO assistance service in Geneva (CAGI)

The **Geneva Welcome Centre (CAGI)** was founded in 1996 by the Swiss Confederation and the Canton of Geneva, with the support of national and local entities, both public and private. Its objective is to facilitate the installation and integration in the Geneva region of international civil servants, members of permanent missions, consulates and NGOs as well as their families. It also organizes and supports cultural and social events which promote exchanges between the Internationals and the local community.

The mission of the Geneva Welcome Centre is threefold:

1. To offer practical assistance to newcomers - particularly with housing, schooling, and other issues - and answer questions Internationals may have throughout their stay in the region.
2. To examine the requests of international NGOs wishing to establish themselves in the Geneva area, in collaboration with the appropriate Cantonal and Federal authorities.
3. To launch or support projects aimed at promoting cultural and social exchanges between International Geneva and the local community.

Services offered by the Geneva Welcome Centre

- **The Housing and information service** informs and assists the Internationals in their search for housing and offices. It also provides advice relating to administrative questions.
- **The NGO service** facilitates the establishment of new NGOs in the Geneva region.
- **The Events service** organizes or supports social and cultural activities, in order to promote the integration of Internationals in Geneva.

To have an appointment with the NGO assistance office (CAGI), we need

- A signed copy of the Statutes
- The latest minutes
- A list of members of the Committee (if not included in the minutes)
- The last activities report and accounts (if it is a new association, description of activities envisaged and detailed budget)
- A list of partners
- Any other useful information (e.g. description of projects).