



Administrative Instruction

Ref: ICC/AI/2016/004

Date: 30 December 2016

MOBILITY AND HARDSHIP SCHEME

The Registrar, with the agreement of the President and the Prosecutor, and for the purpose of implementing Assembly of States Parties resolution ICC-ASP/15/Res.1, staff regulation 3.1 and staff rule 103.14 and pursuant to section 3.2 of Presidential Directive ICC/PRESG/2003/001, promulgates the following:

Section 1

General provisions

Purpose

1.1 The United Nations common system mobility and hardship scheme (“the Scheme”) is intended to encourage and reward mobility between duty stations, and to compensate staff for hardships they may incur when assigned to duty stations with difficult living and working conditions. By virtue of staff regulation 3.1 the allowances of staff members of the Court shall be in conformity with the United Nations common system standards. For the purposes of the Scheme, mobility is defined as the geographic reassignment of staff members between duty stations.

1.2 The Scheme includes the following non-pensionable allowances:

- a) A mobility incentive, which varies according to the number of assignments and the purpose of which is to provide an incentive for the geographic mobility of staff;
- b) A hardship allowance, the purpose of which is to compensate for the varying degrees of hardship at different duty stations;
- c) A non-family service allowance, the purpose of which is to recognise service in non-family duty stations.

Eligibility

1.3 Staff members in the Professional and higher categories or in the internationally-recruited General Service category shall be eligible for payment of the allowances under the Scheme, provided they meet the requirements set out in section 1.4 and the particular conditions governing each allowance as set out in sections 2, 3 and 4 below. The entitlement to allowances under the Scheme in relation to staff members holding short-term appointments is subject to the regime set out in the administrative instruction on short-term appointment.

1.4 Eligibility for the mobility incentive under the Scheme shall require an appointment to a duty station, or a reassignment to a new duty station for a period of one year or longer, normally giving rise to a settling-in grant under staff rule 107.14. However, the other allowances may also be paid when an assignment with payment of a daily subsistence allowance is subsequently extended to one year or longer; in which case, the allowances may be paid as of the first day following discontinuation of the subsistence allowance.

1.5 The hardship and non-family service allowances are payable irrespective of the appointment type and duration, as provided in sections 3.2 and 4.1 below.

1.6 The allowances under the Scheme are not considered expatriate benefits, and may be paid to eligible staff members serving in their home country.

Category and designation of duty stations

1.7 All duty stations are classified by the International Civil Service Commission (ICSC) in one of six categories: H, and A to E. Duty stations in category H are headquarters and similarly designated locations where the United Nations has no development or humanitarian assistance programme, or locations in countries that are members of the European Union. The A to E categories comprise all other duty stations, classified by order of difficulty of conditions of life and work, with A being the least and E the most difficult. All duty stations are listed in a UN information circular on the classification of duty stations (hereunder referred to as “the circular”).¹

1.8 For the purpose of payment of the non-family service allowance, a duty station will be designated as “non-family” by the Chair of the ICSC where the Department of Safety and Security of the United Nations Secretariat decides that, for reasons of safety and security, all eligible dependants are restricted from being present at the duty station for a period of six months or longer.

Amount

1.9 The amount of the allowances as described in Section 1.2, above, payable to each eligible staff member may vary by grade level and depends:

- a) For the mobility incentive, on the number of assignments of a staff member;
- b) For the hardship allowance, on the hardship classification of the duty station where the staff member is serving;
- c) For the non-family service allowance, on whether the duty station has been designated a non-family duty station and the staff member has any dependants.

¹ See presently ST/IC/2016/14, of 1 July 2016. For the purpose of this Administrative Instruction, the UN Information Circular in force shall apply under the terms set out herein. The Information Circular is available at: <https://hr.un.org/handbook/source/information-circulars/date>.

1.10 For internationally-recruited General Service staff, the amounts paid shall be the same as those for staff at the P-1 to P-3 grade levels in the Professional and higher categories.

1.11 When staff members eligible for payment of the allowances are on assignment or travel status and receive a daily subsistence allowance as a result, the allowances shall continue to be paid on the basis of their appointment at the parent duty station. Staff members on travel status at non-family duty stations are not eligible for payment of the non-family service allowance unless they are eligible on the basis of their appointment to their parent duty station.

1.12 When two staff members are married to each other and each is entitled to the non-family service allowance, each shall be paid at the rate applicable to a staff member without a dependant. If there are one or more dependent children, the non-family service allowance shall be paid at the rate applicable to a staff member with a dependant to the staff member in respect of whom the child or children are recognised as dependants. The same provision shall apply when one of the spouses is a staff member of an organisation of the United Nations common system.

1.13 The amounts payable under the Scheme are set out in the annex to the present instruction:

- a) Mobility incentive (table 1);
- b) Hardship allowance (table 2);
- c) Non-family service allowance (table 3);

1.14 The ICSC periodically reviews all A to E duty stations and family/non-family status of each one, and changes are made and published when they occur. A change in the classification and/or status of a duty station may affect the amount of or entitlement to the allowances. Payments may also be adjusted upwards or downwards as a result of a change in duty station, change of dependency status, change in grade, granting of a Special Post Allowance and/or periods of special leave.

Section 2

Mobility incentive

Qualifying service

2.1 To qualify for payment of the mobility incentive, a staff member must have five years' prior continuous service on a fixed-term appointment as a staff member in the Court and assigned to a category A to E duty station. When qualifying service has been broken by separation from service as defined in Staff Rule 109.1, such service accrued before the separation shall be forfeited and a new period shall begin upon the staff member's re-employment. Service credited towards the five-year service requirement may include service as a staff member in one of the categories eligible for payment of the allowance under section 1.3, as well as prior service in a non-eligible category when allowed under section 2.6.

2.2 At all duty stations classified in categories A to E, the mobility incentive is payable from the second assignment, provided the requirement of five years' continuous service has been met.

2.3 Service shall not be considered as broken by periods of special leave, but periods of special leave without pay of more than 20 working days shall not be credited towards the five-year service requirement.

2.4 Staff members holding short-term appointments are not eligible to receive the mobility incentive, regardless of any exceptional extension of their appointment beyond 1 year.

Determining the assignment number

2.5 For the purpose of this instruction, the term “assignment”, when determining the assignment number of the staff member, shall be understood to mean either the initial appointment of a staff member to a duty station for a period of one year or longer, or transfer, reassignment or assignment of a staff member to a new duty station for a period of one year or longer.

- a) Initial appointments of one year or longer, whether or not official travel was required or such appointment gave rise to a settling-in grant, and assignments of one year or longer which involve a change of duty station, shall be counted as one assignment, provided the staff member completes a minimum one-year period of service in the duty station;
- b) If a staff member is assigned to a duty station for a period of one year or longer and such time is subsequently reduced at the initiative of the Court to less than one year, such service may be counted as an assignment on an exceptional basis.

2.6 Counting of assignments shall be made as follows:

- a) Exceptional periods of service on daily subsistence allowance for a period of one year or longer at the same duty station shall be counted as one assignment, but only upon reassignment or transfer to a new parent duty station;
- b) For staff members who were previously locally recruited in the General Service category and who become eligible for payment of the incentive upon appointment to a category eligible for such payment, all prior periods of service of one year or longer in the country of recruitment shall be counted as one assignment provided there is no break in service or separation from the Court;
- c) For locally-recruited staff members in the General Service category who are assigned to another duty station outside the country of recruitment and as a result become eligible for payment of the incentive, the corresponding periods of service of one year or longer shall be counted in the same manner as for staff in the Professional category. Prior service in the country of recruitment as a locally-recruited staff member shall be counted as one assignment, in accordance with section 2.6 (b);
- d) For staff members who had previously served on short-term appointments for a total continuous period of at least one year and who became eligible for payment of the incentive upon a fixed-term appointment, the combined continuous periods of service on these two types of appointment shall be counted as one assignment;
- e) Transfers, secondments and loans to organisations of the United Nations common system shall be counted in the same manner as movements within the Court;
- f) Periods of service under a fixed-term appointment of one year or longer as a Junior Professional Officer shall be counted in the same manner as for staff in the Professional category.

Duration

2.8 After five years continuous service at one duty station, payment of the mobility incentive shall cease. The count towards the five years begins as of effective entry on duty date of the appointment or effective start date of the assignment at the duty station, regardless of whether the staff member is eligible for the incentive at the start of the count. Periods of service away from the parent duty station on assignment or travel status shall not suspend the counting of five years. Periods of special leave without pay of more than 20 working days shall suspend the counting of five years, and the count shall resume upon return to service.

Section 3

Hardship allowance

3.1 The hardship allowance shall be payable to eligible staff members who are assigned to duty stations classified in categories B, C, D and E from the beginning of their first assignment to any of those duty stations for the duration of their assignment to those locations.

3.2 Eligible staff members who meet the requirement in section 3.1 above shall be eligible for the hardship allowance upon taking up their first assignment, irrespective of whether they receive a settling-in grant.

3.3 If there is a change in the category of the duty station to which a staff member is assigned during the course of an assignment, an appropriate adjustment shall be made in the amount to which the staff member is entitled or the allowance shall be discontinued if no amount is payable, as of the effective date of the implementation of the hardship classification.

Section 4

Non-family service allowance

4.1 The non-family service allowance shall be payable to eligible staff members who are assigned to duty stations designated as non-family from the beginning of their assignment and for the duration of their service in a non-family duty station.

4.2 If there is a change in the designation of the duty station from family to non-family during the course of a staff member's appointment or assignment to the duty station, the non-family service allowance shall be payable, as of the effective date of the change in the duty station designation.

4.3 If there is a change in the designation of the duty station from non-family to family during the course of a staff member's appointment or assignment to the duty station, the allowance shall be discontinued following a transition period:

- (a) For staff members with no dependants, the allowance is discontinued three months after the effective date of change in the duty station designation;
- (b) For staff members with dependants, the allowance is discontinued after three months, but may be payable for an additional three months (six months in total), following the effective date of change in the duty station designation or until an eligible family member joins the staff member at the duty stations, whichever is earlier.

4.4 The non-family service allowance is not payable to staff members appointed or assigned to a duty station on or after the effective date of change in the duty station designation to family.

Section 5

Modalities of payment of the allowances

5.1 The allowances are established in United States dollars and shall be converted and paid in the Court's operational currency according to the applicable operational rate of exchange² at the time of payment. No adjustments shall be made to account for changes in exchange rates once the payment has been made.

5.2 The allowances shall be paid on a monthly basis.

5.3 Adjustments or discontinuation of payments shall be made when applicable as a result of change of duty station, change of dependency status, change of designation or classification of duty station, change in grade, completion of five years' continuous service at the duty station, period on special leave, or separation. An adjustment shall also be made if a staff member receives a special post allowance to a higher grade which would bring the staff member's entitlement into another range, thus giving rise to a higher amount of the allowances in accordance with the amounts specified in the tables in the annex.

Section 6

Final provisions

6.1 The present administrative instruction shall enter into force on 1 January 2017 and shall have retroactive effect as of 1 July 2016.

6.2 Administrative instructions ICC/AI/2010/001, ICC/AI/2011/001 and ICC/AI/2011/006 are hereby revoked.



Herman von Hebel
Registrar

² The relevant operational rate of exchange is the one of the UN valid at the relevant time.

Annex

Amounts payable under the mobility and hardship scheme

(Effective 1 July 2016)

Table 1

Mobility incentive

(Annual amounts in United States dollars)

Group 1 (P-1 to P-3)

<i>Duty station category</i>	<i>Number of assignments</i>			
	<i>1</i>	<i>2-3</i>	<i>4-6</i>	<i>7+</i>
A to E	–	6 500	8 125	9 750

Group 2 (P-4 and P-5)

<i>Duty station category</i>	<i>Number of assignments</i>			
	<i>1</i>	<i>2-3</i>	<i>4-6</i>	<i>7+</i>
A to E	–	8 125	10 156	12 188

Group 3 (D-1 and above)

<i>Duty station category</i>	<i>Number of assignments</i>			
	<i>1</i>	<i>2-3</i>	<i>4-6</i>	<i>7+</i>
A to E	–	9 750	12 188	14 625

Table 2

Hardship allowance

(Annual amounts in United States dollars)

<i>Duty station category</i>	<i>Group 1 (P-1 to P-3)</i>	<i>Group 2 (P-4 and P-5)</i>	<i>Group 3 (D-1 and above)</i>
H	–	–	–
A	–	–	–
B	5 810	6 970	8 140
C	10 470	12 780	15 110
D	13 950	16 280	18 590

<i>Duty station category</i>	<i>Group 1 (P-1 to P-3)</i>	<i>Group 2 (P-4 and P-5)</i>	<i>Group 3 (D-1 and above)</i>
E	17 440	20 920	23 250

Table 3
Non-family service allowance
 (Monthly amounts in United States dollars)

Staff member with a dependant	1 650
Staff member without a dependant	625