



**Administrative Instruction
Ref: ICC/AI/2011/001**

Date: 31 January 2011

**TRANSITIONAL MEASURES FOR IMPLEMENTING NEW CONDITIONS OF
SERVICE FOR INTERNATIONALLY-RECRUITED STAFF IN FIELD DUTY
STATIONS**

The Registrar, pursuant to section 3.2 of Presidential Directive ICC/PRES/D/G/2003/001 and for the purpose of implementing new modalities of conditions of service for internationally-recruited staff members in field duty stations through administrative instruction ICC/AI/2010/001, hereby promulgates the following:

Section 1

Personal Transition Allowance

1.1 Under Staff Rule 112.4, the Registrar, in consultation with the Prosecutor, may designate special mission assignments, including assignments for periods of one year or more. Under the (Interim) *Conditions of Service for Personnel Serving at Mission Locations* (Standard Operating Procedures ICC/HRS/2007/7386), Mission Subsistence Allowance (MSA) was payable in lieu of the mobility and hardship allowance under Staff Rule 103.14, the assignment grant under Staff Rule 107.14 and any post adjustment to the area applicable under Staff Rule 103.3. The Court has decided to implement new modalities for conditions of service with retroactive effect from 1 January 2010. Accordingly, staff members appointed or assigned to family duty stations will be eligible for payment of post adjustment, mobility and hardship allowance and assignment grant instead of MSA.

1.2 During the transition from the MSA system to the new system, the amount of MSA payable for a special mission may be higher than the amount of any post adjustment, rental subsidy/rental deduction, mobility allowance, hardship allowance and non-removal allowance payable. To mitigate the impact of any losses incurred by staff appointed or assigned to family duty stations in the field before 1 September 2010, a Personal Transitional Allowance (PTA) will be paid to internationally-recruited staff members in the Professional and higher categories who as a result of the change would incur a loss of remuneration by difference of the amount of MSA received prior to the change and the amount of any post adjustment, mobility allowance, hardship allowance, non-removal allowance and rental subsidy/rental deduction paid after the change on 1 January 2010.

Section 2

Eligibility for Personal Transition Allowance

- 2.1 Staff members shall be eligible for PTA with effect from 1 January 2010 if they are:
- Internationally recruited in the Professional or higher categories;
 - On a fixed-term appointment limited to service in a special mission on or after 1 January 2010;
 - Serving in a family duty station in the field; and
 - As of 1 September 2010, serving in the same duty station where they were serving on 31 August 2010, unless reassigned or separated from service before 1 September 2010.
- 2.2 The following shall not be eligible for PTA:
- Staff members from Headquarters on assignment to a field duty station;
 - Professional staff members on reimbursable loan from UN common system organizations;
 - Staff members appointed or assigned to a family duty station in the field on or after 1 September 2010; or
 - Locally-recruited staff members.

Section 3

Calculation of Personal Transition Allowance

- 3.1 The amount of PTA shall be the difference between:
- a) the monthly amount of MSA applicable after 30 days of assignment (“after 30 days rate”) that the staff member was receiving as of 31 December 2009 for the special mission duty station at which he/she is regularly assigned; and
 - b) the total monthly amount of the post adjustment, rental subsidy/rental deduction, mobility allowance, hardship allowance and non-removal allowance payable from 1 January 2010 onwards at the prevailing rates applicable to the same family duty station.
- 3.2 The monthly amount of MSA set as of 31 December 2009 (based on payment of 30 days of MSA) shall serve as the reference amount of MSA for the purpose of calculating PTA and shall remain at the same level when adjusting the amount of PTA.
- 3.3 The total monthly amount of the post adjustment, rental subsidy/rental deduction, mobility allowance, hardship allowance and non-removal allowance shall be continuously adjusted based on the applicable rates.
- 3.4 The amount of PTA shall be reduced by the amount of any increase in the total amount of post adjustment, rental subsidy/rental deduction, mobility allowance, hardship allowance and non-removal allowance. At no time may the amount of PTA exceed a prior amount of PTA paid, as a result of a reduction in the total amount of post adjustment, rental subsidy/rental deduction and mobility and hardship allowance.

Section 4

Discontinuance of Personal Transition Allowance

4.1 PTA shall be phased out as follows:

- i) 1 January 2010 – 31 December 2011: 100% of the amount of PTA established on 1 January 2010 shall be paid and reduced during the first two years by any subsequent increase in the total amount of post adjustment, mobility allowance, hardship allowance, non-removal allowance and rental subsidy/rental deduction payable.
- ii) 1 January 2012 – 31 December 2012: 70% of the amount of PTA paid on 31 December 2011 shall be paid from 1 January 2012, and shall continue to be reduced during that period by any subsequent increase in the total amount of post adjustment, mobility allowance, hardship allowance, non-removal allowance and rental subsidy/rental deduction payable.
- iii) 1 January 2013 – 31 December 2013: 40% of the amount of PTA paid on 31 December 2012 shall be paid on 1 January 2012, and shall continue to be reduced during that period by any subsequent increase in the total amount of post adjustment, mobility allowance, hardship allowance, non-removal allowance and rental subsidy/rental deduction payable.
- iv) As of 1 January 2014, PTA shall be discontinued completely, the last day of payment thereof being 31 December 2013.

4.2 Payment of PTA shall be discontinued earlier than 1 January 2014, as soon as any of the following conditions are met, whichever is earlier:

- i) The total monthly amount of post adjustment, mobility allowance, hardship allowance, non-removal allowance and rental subsidy reaches or exceeds the total monthly amount of the “after 30 days” rate of MSA that the staff member was receiving for his/her duty station on 31 December 2009. Once PTA reaches zero or less, it shall be discontinued and not be reinstated in the event of any subsequent reductions in the post adjustment, rental subsidy or mobility and hardship allowance; or
- ii) The staff member is reassigned to a new duty station under conditions which give rise to payment of travel and assignment grant at the Court’s expense.

Section 5

Other measures

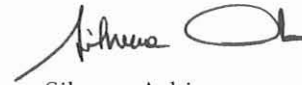
5.1 In accordance with administrative instruction ICC/AI/2010/001, Rest and Recuperation (R&R) shall be authorised in accordance with the framework established by the Field Group (the Inter-Agency Committee of Field Duty Stations of the Human Resources Network of the United Nations Chief Executives Board). Staff members who were appointed or assigned prior to 1 September 2010 to a field duty station for which R&R would not normally be authorised but who were granted R&R on an exceptional basis, may continue to benefit from such R&R in the cycle as it was applied before 1

September 2010 until no later than 31 December 2010.

Section 6

Final provisions

6.1 The present Administrative Instruction shall enter into force on 01 January 2010.

A handwritten signature in black ink, appearing to read 'Silvana Arbia', with a large, stylized circular flourish at the end.

Silvana Arbia
Registrar