



Administrative Instruction

Ref. ICC/AI/2016/007

Date: 30 December 2016

**TRANSITIONAL MEASURES FOR IMPLEMENTING THE NEW COMMON
SYSTEM COMPENSATION PACKAGE**

The Registrar, with the agreement of the President and the Prosecutor, pursuant to section 3.2 of Presidential Directive ICC/PRES/D/G/2003/001 and for the purpose of implementing Staff Regulation 3.1, hereby promulgates the following:

Section 1

Introduction

1.1 In December 2015, the United Nations General Assembly approved the modification of the United Nations common system compensation package, following a comprehensive review undertaken by the International Civil Service Commission (ICSC) in 2013-2014 in order to ensure that the pay and benefits provided to United Nations common system staff continued to be fit for purpose.¹

1.2 According to Article III of the Staff Regulations of the Court the salaries and related allowances of staff members shall be in conformity with United Nations common system standards. In view of this requirement, the Court proposed and the Assembly of States Parties decided to follow this harmonised approach² through the modification and promulgation of the relevant Staff Rules and related administrative issuances.

1.3 The implementation of the new compensation package will give due consideration to the question of acquired rights of existing staff members. As a result, transitional measures will apply to existing staff members to allow a smooth transition from one system of remuneration and compensation to another. This Administrative Instruction provides the details of these transitional measures.

¹ [A/RES/70/244](#)

² [ICC-ASP/15/Res.1](#), Section N at page 7.

Section 2

Applicability

2.1 The provisions of this Administrative Instruction shall apply to all staff members in the Professional and higher categories as well as to all internationally-recruited staff members appointed and that have reported for duty prior to 1 January 2017.

Section 3

Transitional Measures

Salary scale structure and recognition of dependants

a) Grade and step placement within the proposed salary scale structure

3.1 The new unified salary scale will come into effect on 1 January 2017. Staff member's grade and step from the current scale will be converted to the new scale using the conversion table developed by the ICSC³ and on the basis of their step in grade as at 31 December 2016.

3.2 The salary levels of staff members that are higher than those at the maximum step of their grade upon conversion to the unified salary scale shall be maintained as a pay protection measure. Staff members who cannot be matched to an appropriate step of their grade in the new scale will be placed at pay protection steps using the conversion table developed by the ICSC. Once a staff member is placed at a pay protection step no further step increments would be granted. Pensionable remuneration at the pay protection steps would also be revised in the future at the same time and to the same extent as the other regular steps. These pay protection steps will be discontinued in case of a new appointment at a higher grade or separation of staff members.

3.3 The practice of granting staff members accelerated step increments will be discontinued. Staff members who benefited from accelerated step increments for demonstrated language proficiency as at 31 December 2016 will keep the steps acquired to date and maintain, where applicable, the step increment due date.

3.4 The change in step which is due to existing staff in 2017 or 2018, where applicable, will be granted in accordance with the step increment due dates already scheduled. Once the step increment has been granted the new provisions in respect of annual or biennial step increments, where applicable, will apply to existing staff.

b) Dependency rate provided in respect of a dependent child

3.5 A staff member in receipt of the dependency rate of salary in respect of a dependent child on 31 December 2016 shall receive a transitional allowance equivalent to six (6) per cent of net remuneration (net base salary and post adjustment) from 1 January 2017 onward, in respect of that dependent child, subject to the following conditions:

³ As recommended by the ICSC in Annex II, Section B, of its annual report [A/70/30](#)

- (a) The staff member is not in receipt of a dependent spouse allowance;
- (b) The staff member is not in receipt of a single parent allowance; and
- (c) The staff member is not in receipt of a dependent child allowance in respect of that dependent child, except for an additional payment on account of a dependent child with a disability

3.6 The transitional allowance shall be reduced by one percentage point of net remuneration every 12 months thereafter. This reduction shall fall due on 1 January of every year and will not be suspended for any reason.

3.7 Payment of the transitional allowance shall be discontinued when:

- (a) The staff member becomes eligible and is paid a dependent spouse allowance or a single parent allowance;
- (b) The child in respect of whom the transitional allowance is paid, is no longer recognised as an eligible dependent child, or
- (c) The amount of the transitional allowance becomes equal to or lower than the amount of the dependent child allowance.

3.8 Once the transitional allowance is discontinued, it shall not be reinstated regardless of subsequent changes to a staff member's personal status and dependents.

Education grant

3.9 The changes to the Education grant scheme will be applicable to the academic year in progress as of 1 January 2018. Transitional measures, if any, will be communicated to staff in due course.

Mobility and hardship scheme

3.10 The changes in relation to the mobility and hardship scheme, shall have retroactive effect as of 1 July 2016, in accordance with Administrative Instruction ICC/AI/2016/004 ("*Mobility and Hardship Scheme*") and to the extent that they are beneficial to existing staff members.

3.11 Staff members in receipt of a mobility allowance prior to 30 June 2016, now renamed mobility incentive, shall continue to receive payment of this incentive for up to five (5) years at the same duty station or until the staff member moves to another duty station, whichever occurs earlier.

3.12 Staff members in receipt of a non-removal allowance prior to 30 June 2016 shall continue to receive payment of the allowance for up to five (5) years at the same duty station or until the staff member moves to another duty station, whichever occurs earlier.

3.13 The assignment number properly determined for the purposes of the mobility allowance, as counted in accordance with the relevant provisions in force prior to 30 June 2016, shall continue to be recognized prospectively for the purposes of the mobility incentive. This Administrative Instruction shall not affect a staff member's assignment number retroactively, provided the assignment number was properly determined.

Repatriation grant

3.14 Staff members appointed and having reported for duty prior to 1 January 2017 who were eligible to the repatriation grant, but who are no longer eligible for such a grant under the new compensation package, shall upon separation be paid a repatriation grant in accordance with the schedule set out under Staff Rule 109.6(f) in force on 31 December 2016 for the number of years of qualifying service accrued up to that date.

Settling-in grant

3.15 For staff members in receipt of an assignment grant prior to 1 January 2017, the following provisions shall apply in respect to the lump-sum portion of the assignment grant.

3.16 A staff member who is appointed or reassigned for one year or longer to a category A to E duty station, and is not entitled to full removal costs under Staff Rule 107.13(b), shall receive a lump-sum payment equivalent to:

- (a) One month's net salary and, where appropriate, post adjustment at the duty station of assignment if the duration of the assignment is less than three years; or
- (b) Two months' net salary and, where appropriate, post adjustment at the duty station of assignment if the assignment is expected to be for three years or longer.

3.17 The lump-sum portion of the grant shall be adjusted or recovered when the staff member has not completed the period of service in respect of which the lump-sum portion of the assignment grant has been paid. When a two-month lump-sum has been paid and the completed period of service at the duty station is less than three years, the lump-sum shall be adjusted or recovered as follows:

- (a) If the completed period of service at the duty station is less than one year, the first month's lump sum shall be prorated and recovered or adjusted in the proportion that the period of service bears to the first year (12 months) of assignment. The second month's lump-sum shall be recovered in full;
- (b) If the completed period of service at the duty station is one year or more but less than two years, there shall be no recovery in respect of the first month's lump-sum, but the second month's lump-sum shall be recovered in full;
- (c) If the completed period of service at the duty station is more than two years but less than three years, there shall be no recovery in respect of the first month's lump-sum, but the second month's lump-sum shall be prorated and recovered or adjusted in the proportion that the completed period of service in the third year of assignment (i.e., the period exceeding 24 months) bears to the third year (12 months) of assignment.

If the completed period of service at the duty station is three years or more, the lump-sum shall not be recovered or adjusted.

3.18 These transitional measures are applicable only to appointments, assignments or transfers with an effective date on or prior to 31 December 2016. The transitional measures shall cease to be in effect from 31 December 2019 unless indicated otherwise.

Section 4

Final Provision

4.1 This Administrative Instruction shall enter into force on 1 January 2017.

4.2 This Administrative Instruction is subject to review in the course of January 2017 following the promulgation of the relevant administrative issuances by the United Nations Secretariat on dependency status and dependency benefits.

A handwritten signature in black ink, appearing to read 'H. von Hebel', with a long horizontal flourish extending to the right.

Herman von Hebel
Registrar