

38/239. Pension scheme for the members of the International Court of Justice

The General Assembly,

Recalling its resolutions 1562 (XV) of 18 December 1960, 1925 (XVIII) of 11 December 1963, 2367 (XXII) of 19 December 1967, 2890 A (XXVI) of 22 December 1971, 3193 A (XXVIII) of 18 December 1973 and 3537 A (XXX) of 17 December 1975, on the pension scheme for members of the International Court of Justice,

Having considered the report of the Secretary-General¹⁰⁶ and the related report of the Advisory Committee on Administrative and Budgetary Questions,¹⁰⁷

Decides to amend the Pension Scheme Regulations for members of the International Court of Justice as indicated in the annex to the present resolution, with effect from 1 January 1984.

*104th plenary meeting
20 December 1983*

ANNEX

Amendments to the Pension Scheme Regulations of the International Court of Justice

Article I

RETIREMENT PENSION

Replace "the age of sixty-five" by "the age of sixty" wherever the term appears.

In paragraph 1 (a), replace "five years of service" by "three years of service".

Article II

DISABILITY PENSION

Replace paragraph 2 by the following text:

"2. The amount of the disability pension shall be equal to the amount of the retirement pension which would have been payable to the member of the Court concerned had he, at the time of leaving office, completed the term for which he had been elected, provided that it shall not be less than one quarter of the annual salary".

Article III

WIDOW'S PENSION

In paragraph 3 (b) and (c), replace "the age of sixty-five" by "the age of sixty".

Article IV

CHILD'S BENEFIT

In paragraph 1 (a), last line, replace "1,200 dollars a year" by "one thirty-sixth of the annual base salary".

Add the following new paragraph 3:

"3. The age-limit mentioned in paragraph 1 above shall be waived if the child is incapacitated by illness or injury, and the benefit shall continue to be paid for as long as the child remains incapacitated."

Article V

SPECIAL PROVISIONS

To be deleted.

Article VI

DEFINITIONS

Renumber as article V.

Replace paragraph 2 by the following text:

"2. 'Annual salary' means the annual base salary, exclusive of any allowances, fixed by the General Assembly and received by the member at the time he ceased to hold office."

Article VII

MISCELLANEOUS PROVISIONS

Renumber as article VI.

Replace paragraph 3 by the following text:

"3. The President of the Court and the Secretary-General shall determine conditions for the application of article IV, paragraph 3, and, on the advice of a qualified actuary or actuaries, establish a table of actuarial reduction factors."

Article VIII

APPLICATION AND EFFECTIVE DATE

Renumber as article VII

Replace the entire article by the following text:

"1. The present Regulations shall be applicable as from 1 January 1984 to all who are members of the Court on or after that date, to their eligible beneficiaries and to recipients of pensions or benefits under article III or IV of the Regulations adopted on 19 December 1967.

"2. Pensions in payment shall be automatically revised by the same percentage and at the same date as pension entitlements.

"3. Former members of the Court who left office prior to 1 January 1968, or their eligible beneficiaries, shall continue to have their entitlements governed by the Regulations approved in General Assembly resolution 1562 (XV) or 1925 (XVIII), except that in their case the revised provisions of article III approved in General Assembly resolution 2367 (XXII) and the consequential changes in article IV shall continue to be applicable to all relevant entitlements, regardless of the date on which the said entitlements first became payable."

¹⁰⁶ A/C.5/38/27, paras. 86-106.

¹⁰⁷ Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 7A (A/38/7/Add.1-23), document A/38/7/Add.23.