

As agreed by the Management Committee on 6 March 2008  
and amended on 20 March 2009, 19 February 2010, 7 February 2011 and 29 February 2012

## Conditions of Service and Compensation of Judges of the Special Tribunal for Lebanon

The conditions of service of judges of the Special Tribunal for Lebanon (hereinafter the "Special Tribunal") are set out below and are subject to Security Council resolution 1757 (2007) of 30 May 2007 and the provisions of the documents annexed to it, as well as the Statute of the Special Tribunal attached thereto.

### I. Term of office

In accordance with article 9, paragraph 3, of the Statute of the Special Tribunal, judges shall be appointed for a three-year period and may be eligible for reappointment for a further period to be determined by the Secretary-General in consultation with the Government of the Lebanese Republic.

### II. Annual remuneration

The annual remuneration set out in Appendix A to these rules shall be determined by the Management Committee taking into account decisions of the UN General Assembly relating to other international tribunals and courts.

### III. Travel and subsistence allowance

Judges shall be entitled to payment of travel expenses and subsistence allowance as set out in the Travel and Subsistence Regulations for Judges of the Special Tribunal, attached as an Annex hereto.

### IV. Retirement pension

Judges shall make or have their own arrangements with regard to pensions. The Special Tribunal shall not contribute to any pension plan on behalf of a judge, unless otherwise determined on a case by case basis.

### V. Education grant

Judges shall be entitled to an education grant equivalent to that of United Nations officials.

VI. Health insurance and other coverage

1. Judges shall be adequately insured for health coverage for the duration of their tenure with the Special Tribunal. Health insurance policies should cover hospitalisation and long term care.
2. Judges shall be responsible for their own health insurance coverage for the duration of their tenure with the Special Tribunal.
3. Judges shall make their own arrangements for life insurance coverage.

VII. Annual leave

Judges shall be entitled to annual leave with full pay at a rate of two and a half (2.5) working days for each full month of continuous service, i.e., thirty (30) working days per year. Annual leave shall be authorized by the President of the Special Tribunal and shall be subject to the court schedule and exigencies of work.

Annual leave may be accumulated, provided that not more than six weeks of such leave shall be carried forward beyond 1 April of any year.

VIII. Sick leave

Judges shall be entitled to seven (7) working days of uncertified sick leave per year. Any absence of more than three (3) consecutive working days must be supported by a medical certificate in all cases, otherwise such absence shall be charged as annual leave.

IX. Tax reimbursement

The Special Tribunal shall reimburse income taxes paid by judges, under the relevant national laws, on salaries and other emoluments received from the Special Tribunal in accordance with procedures established for staff members of the Special Tribunal.

X. General conditions

1. No judge may engage in any activity which is likely to interfere with his or her judicial functions or to affect confidence in his or her independence. Judges required to serve on a full-time basis at the seat of the Special Tribunal shall not engage in any other occupation of a professional nature.

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2. Any question regarding the application of paragraph 1 shall be raised with and decided upon by the President and shall be subject to the court schedule and exigencies of work.

3. The entitlements and allowances listed above shall be conditional on the residence of the judge at the seat of the Special Tribunal. Residence status is defined as the establishment, through acquisition or long-term lease, of a permanent residence at the seat of the Special Tribunal, coupled with the declaration by the judge concerned of resident status.

#### XI. Revision

These terms and conditions shall be subject to revision by the Management Committee.

Annex

Travel and Subsistence Regulations for Judges of the Special Tribunal for Lebanon

Article 1

Travel expenses

1. The Special Tribunal shall pay, subject to these conditions of service, the travel expenses of judges necessarily incurred on duly authorized journeys. The following shall be deemed to be duly authorized journeys by judges:

- a) A journey from his or her declared home, at the time of appointment, to the seat of the Special Tribunal;
- b) Upon completion of the second year of service, a round trip every twenty-four (24) months from the seat of the Special Tribunal to his or her declared home at the time of appointment, subject to the condition that he or she serves a minimum of a further six (6) months beyond the date of his or her return from home leave;
- c) Upon completion of his or her appointment, a journey from the seat of the Special Tribunal to his or her declared home at the time of appointment, or to any other place provided that the cost of the journey is not greater than the cost of the journey to his or her declared home at the time of appointment.

Where the eligible family members of a judge reside with him or her at the seat of the Special Tribunal, the Special Tribunal shall pay the travel expenses of the eligible family members for journeys undertaken in conjunction with paragraphs (a), (b) and (c) above.

- d) Other journeys on official business as authorized by the President of the Special Tribunal.

2. In all cases, payment by the Special Tribunal of travel expenses shall comprise the cost of journeys actually undertaken, subject to the following maximum entitlements:

- a) The cost of business-class travel, including expenses normally associated with travel. The cost of transportation of baggage in excess of the weight or size carried without charge by transportation companies will not qualify as a travel expense unless the excess is necessarily carried for official business reasons;
- b) Travel shall be by the most cost-effective and time-efficient means and route. Other arrangements may be authorized by the President of the Special Tribunal in exceptional circumstances.

Article 2  
Subsistence allowance

1. A daily subsistence allowance shall be paid to a judge while on official travel under article 1, paragraph 1, subparagraphs (a), (c) and (d) above. The allowance shall be regarded as covering all charges for meals, lodging, local transportation costs and gratuities, and other costs involving an overnight stay away from his or her residence.
2. The daily subsistence allowance shall be payable under the conditions and at rates equivalent to the standard travel subsistence allowance rates for United Nations staff members. This rate shall be reduced in the event that board and/or lodging are provided.
3. After an extended period of time in any one location, the daily subsistence allowance shall be reduced in accordance with provisions applicable to United Nations officials.
4. Where a judge, undertaking an official journey under article 1, paragraph 1, subparagraphs (a), (b) or (c) above, is accompanied by eligible family members, a subsistence allowance of one half of the rate payable to judges in respect of that journey shall be payable for each eligible family member.

Article 3  
Removal and assignment

1. Judges of the Special Tribunal who shall reside at the seat of the Special Tribunal and who take up residence at the seat of the Tribunal shall be entitled to the following:
  - a) Removal costs of household goods and personal effects to the seat of the Special Tribunal from his or her declared home equivalent to those applicable to United Nations officials;
  - b) An assignment grant equivalent to that payable to United Nations officials;
  - c) Upon completion of his or her appointment, removal costs of household goods and personal effects from the seat of the Special Tribunal to his or her declared home at the time of appointment (or any other country where he or she may choose to reside if less expenditure is entailed) equivalent to those applicable to United Nations officials.

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Where a judge's eligible family members take up residence with him or her at the seat of the Tribunal, the judge shall be paid an assignment grant in respect of each eligible family member equivalent to that payable to United Nations officials.

#### Article 4

##### Repatriation upon completion of service

On completion of appointment and resettlement outside the seat of the Special Tribunal, a judge who has maintained a *bona fide* residence at the seat of the Special Tribunal for at least three (3) consecutive years during service with the Special Tribunal shall receive a lump sum equal to twelve (12) weeks net base salary.

#### Article 5

##### Submission of payment of accounts

A detailed expense account shall be rendered in support of each claim for reimbursement of travel expenses or subsistence allowance as soon as possible after completion of the travel or removal. The claims must include every item of expense, except where such expense is covered by a subsistence allowance, and shall, as far as possible, be supported by receipts showing the service to which the payment is related. All expenses must be shown in the actual currency in which they were made and shall be certified as having been necessarily and solely incurred in the discharge of the official business of the court. Reimbursement shall be made following authorization by the President of the Special Tribunal.

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Appendix  
Annual remuneration for Judges of the Special Tribunal for Lebanon

Effective 1 January 2012

Net Base Salary:       \$ 169,098 (*United States Dollars*)

Post Adjustment:       In addition to the net base salary, a post adjustment shall be payable with reference to the levels published by the International Civil Service Commission. The amount of post adjustment shall be determined by applying the multiplier of the post adjustment classification for The Netherlands to 1 per cent of the corresponding net base salary rate.