

GENERAL
ASSEMBLYASSEMBLEE
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ORIGINAL: ENGLISH

CURRENCY IN WHICH THE EMOLUMENTS OF THE
JUDGES AND THE REGISTRAR OF THE INTERNATIONAL
COURT OF JUSTICE SHOULD BE FIXED

Item 18 of the Provisional Agenda for the Second Part of the First Session

A. Article 32 of the Statute of the International Court of Justice provides inter alia that the salaries of the Judges and the Registrar of the Court shall be fixed by the General Assembly.

At its twenty-third plenary meeting, on 6 February 1946, the General Assembly resolved that:

"The emoluments of the judges of the International Court of Justice shall be fixed according to the following scale:

Netherlands florins

President:

Annual Salary	\$54,000
Special Allowance	15,000

Vice President:

Annual Salary	54,000
Allowance of 100 florins for every day on which he acts as President, up to a maximum of	10,000

Members:

Annual Salary	54,000
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Judges referred to in Article 31 of the Statute:

Allowance of 120 florins for each day on which they exercise their functions, plus a daily subsistence allowance of 60 florins."

On 13 April 1946, the President of the Court wrote to the Secretary-General as follows:

ir,

I have the honour to lay before you the following question:

At a recent meeting concerned with financial questions, the Court came to the conclusion that it would be desirable to draw up its budget estimates in terms of U.S. dollars instead of in Dutch florins. It was observed that this course would present the following advantages: 1) the adoption of a stable currency would protect the salaries of judges and officials from any undesirable fluctuations in value and, 2) the Court's budget would thus be in the same currency as that of the United Nations Organization.

I should be greatly obliged if you would inform me whether the competent authorities of the United Nations Organization would sanction this arrangement; I assume that, under Article II, Section 5 b) of the Draft Convention on the Privileges and Immunities of the United Nations, and under Article II, Section 5, of Appendix II to the Draft Convention between the United Nations and the United States of America, it would always be possible to transfer funds as and when required, either in the currency of the United States to Holland or to other countries where, for instance, the judges might wish to have their emoluments paid. If the United Nations gave their approval, the Court would keep some of its funds in America and transfer to The Hague or elsewhere only the sums actually required.

It is suggested that the salaries of judges, as fixed in florin should be converted once and for all into United States dollars at the rate of the day on which they were appointed, namely, February 1946. The salaries of the Registrar and of the other officials would at once be fixed in dollars.

I shall be grateful if you could let me have your reply as soon as possible in order to enable the Court's budget to be prepared. In that connection, the documents at my disposal do not appear to indicate any precise date by which the budget must be submitted, or whether it is to be addressed to the Assembly itself or to some other authority. I should be much obliged if you would let me know the particulars."

After further correspondence between the Court and the Secretary-General, the Court's budgets for 1946 and 1947 were prescribed in both florins and dollars. Arrangements have also been made to transfer funds from United Nations Headquarters to The Hague as and when needed by the Court. The remaining proposal put forward by the President of the Court, that the salaries of the judges and officials of the Court shall be fixed in terms of United States dollars can be adopted only with the approval of the General Assembly.

During the first session of the General Assembly, the Chairman of the Joint Sub-Committee of the Fifth and Sixth Committees on the Emoluments of the Judges of the International Court of Justice submitted the following report:

"The sub-committee examined first the question of the currency in which the emoluments of the judges should be fixed. They considered whether it should be in United States dollars, according to the recommendation of the Preparatory Commission that the contribution of members should be assessed and paid in the currency of the State in which the United Nations had its headquarters, or whether it should be in Netherlands florins, as the seat of the International Court of Justice will be established at The Hague. The sub-committee decided by a majority to fix the emoluments of the judges in Netherlands florins (six votes in favour)." (A/C.6/24)

The Secretary-General has the honour to submit the request of the Court on this matter to the General Assembly for sympathetic consideration.
