

L.N.V.2.(11)

Geneva, September 20th, 1930.

LEAGUE OF NATIONS

**ORGANISATION OF THE PERMANENT COURT  
OF INTERNATIONAL JUSTICE.**

**REPORT OF THE FIRST COMMITTEE.**

*Rapporteur* : M. PILOTTI (Italy).

By a resolution of September 9th, 1930, the Council of the League of Nations, referring to the Protocol of September 14th, 1929, on the amendments to be made in the Statute of the Permanent Court of International Justice, instructed a Committee of jurists, consisting of M. BASDEVANT, M. GAUS and M. PILOTTI, to take the necessary steps to enable it to submit definite proposals to the Assembly in regard to the situation.

The Committee submitted to the Council a report, together with three draft resolutions (document A.45.1930.V). On September 12th, the Council adopted this report and decided to transmit it to the Assembly. It, at the same time, proposed to the Assembly that it should adopt the three resolutions drawn up by the Committee. The First Committee, to which the Assembly referred the examination of the question, proposes to the Assembly that it should adopt the following five resolutions :

*Resolution No. 1.*

“ The Assembly expresses the hope that the States which have not so far ratified the Protocol of September 14th, 1929, concerning the revision of the Statute of the Permanent Court of International Justice, will proceed, as soon as possible, to ratify that Protocol.”

*Resolution No. 2.*

“ The Assembly,  
“ Having regard to the proposal formulated by the Council on September 12th, 1930, in conformity with Article 3 of the Statute of the Permanent Court of International Justice,  
“ Decides as follows :  
“ The number of Judges for which provision is made in Article 3 of the Statute of the Permanent Court of International Justice is increased from eleven to fifteen.”

*Resolution No. 3.*

“ The Assembly requests the Permanent Court of International Justice to examine the suggestions contained in Part II, paragraphs 1 and 2, of the report of the Committee which was submitted to and approved by the Council of the League of Nations on September 12th, 1930, and expresses the hope that the Court will give consideration to the possibility of regulating, pending the coming into force of the Protocol of September 14th, 1929, concerning the revision of the Statute of the Court, the questions of the sessions of the Court and the attendance of the Judges on the basis of Article 30 of the Statute as annexed to the Protocol of December 16th, 1920.”

*Resolution No. 4.*

“ The Assembly,  
“ Having regard to the proposal formulated by the Council on September 12th, 1930, in conformity with Article 32 of the Statute of the Permanent Court of International Justice,

“ Decides as follows :

“ The salaries and allowances of the members of the Court are fixed as follows as from January 1st, 1931, until the Assembly’s resolution of September 14th, 1929, concerning the salaries and allowances of the members of the Court becomes applicable:

	<i>Dutch florins</i>
“ <i>President</i> :	
Annual salary .....	35,000
Special allowance.....	25,000
“ <i>Vice-President</i> :	
Annual salary.....	35,000
Allowance of 50 florins for each day of duty as Judge up to a maximum of .....	10,000
Allowance of 50 florins for each day on which he acts as President up to a maximum of.....	10,000
“ <i>Judges</i> :	
Annual salary.....	35,000
Allowance of 50 florins for each day of duty up to a maximum of.....	10,000
“ <i>Deputy and National Judges</i> :	
Allowance of 150 florins for each day of duty up to a maximum of.....	30,000
“ The allowances for each day of duty run from the day of the recipient’s departure to the day of his return.	
“ Allowances and salaries shall be free of all taxes.”	

*Resolution No. 5.*

“ The Assembly,

“ Having regard to the proposal formulated by the Council on September 12th, 1930, in accordance with Article 32 of the Statute of the Permanent Court of International Justice,

“ Decides as follows :

“ Pensions will be allowed subject to the conditions hereinafter stated to the personnel of the Court holding office on January 1st, 1931, or subsequently entering on office :

*“ Article 1.*

“ The Judges and the Registrar of the Court who have, for any reason whatever, ceased to hold office shall be entitled to retiring pensions.

“ This right, however, shall not be recognised if the persons concerned have been dismissed for reasons other than the state of their health.

“ In the case of resignation, Judges of the Court will not be entitled to pensions unless they have completed a period of five years’ service, and the Registrar shall not be entitled to a pension unless he has completed a period of seven years’ service, but the Court shall have power, by a special decision, based on the fact that the person concerned is in a precarious state of health and has insufficient means, to grant him a pension equivalent to that to which he would have been entitled had he completed the minimum period of service laid down above.

“ The payment of a pension shall not begin until the person entitled to such pension has reached the age of 65. In certain exceptional cases, however, the pension may, by a decision of the Court, be made payable, in whole or part, to persons entitled thereto before they reach that age.

*“ Article 2.*

“ No retiring pension payable under the present Regulations shall exceed 15,000 Dutch florins per annum in the case of Judges of the Court and 10,000 Dutch florins per annum in the case of the Registrar.

*“ Article 3.*

“ Subject to the provisions of Article 2, Judges shall be entitled to the payment of a pension equivalent to one-thirtieth of their salary in respect of each period of twelve months passed in the service of the Court, the amount being calculated :

“ For the President, on his annual salary and special allowance ;

“ For the Vice-President and the other Judges, on their annual salary and duty allowance.

“ The Registrar shall be entitled to the payment of a pension equivalent to one-fortieth of his salary in respect of each period of twelve months passed in the service of the Court.

“ If a person entitled to a pension is re-elected to office, the pension shall cease to be payable during his new term of office ; at the end of this period, however, the amount of this pension shall be determined as provided for above, on the basis of the total period during which he discharged his duties.

“ *Article 4.*

“ Subject to the provisions of Article 3, retiring pensions shall be payable monthly in arrears during the lifetime of the beneficiary.

“ *Article 5.*

“ Retiring pensions shall be regarded as coming under the ‘ expenses of the Court ’ within the meaning of Article 33 of the Statute of the Court.

“ *Article 6.*

“ The Assembly of the League of Nations may, on the proposal of the Council, amend the present Regulations.

“ Nevertheless, any amendment so made shall not apply to persons elected before the amendment in question was adopted unless they give their consent thereto.”

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