

**Resolution [CM/Res\(2013\)4](#)  
amending Resolution [CM/Res\(2009\)5](#) on the status and conditions of service of judges of the  
European Court of Human Rights and of the Commissioner for Human Rights**

*(Adopted by the Committee of Ministers on 27 March 2013  
at the 1166th meeting of the Ministers' Deputies)*

The Committee of Ministers, in accordance with Article 16 of the Statute of the Council of Europe,

Having regard to the Convention for the Protection of Human Rights and Fundamental Freedoms, signed in Rome on 4 November 1950 ("the Convention");

Having regard to the General Agreement on Privileges and Immunities of the Council of Europe, signed in Paris on 2 September 1949;

Having regard to Resolution [Res\(2004\)50](#) on the status and conditions of service of judges of the European Court of Human Rights, adopted on 15 December 2004;

Having regard to Resolution [CM/Res\(2009\)5](#) of 23 September 2009 on the status and conditions of service of Judges of the European Court of Human Rights ("the Court") and the Commissioner for Human Rights;

Considering the need to consult the Court and the Commissioner for Human Rights on any amendment to their status and conditions of service;

Having consulted the Court and the Commissioner for Human Rights;

On a proposal of the Secretary General,

Resolves as follows:

**Article 1**

In Article 3, paragraph 1, of Resolution [CM/Res\(2009\)5](#), the terms "monthly in advance" shall be replaced by the terms "at the end of each month".

**Article 2**

In Article 6 of Resolution [CM/Res\(2009\)5](#), the terms "Appendix V bis to the Staff Regulations" shall be replaced by the terms "the applicable pension scheme".

**Article 3**

1. In Article 10, paragraph 2, of Resolution [CM/Res\(2009\)5](#), the terms "New Pension Scheme "NPS" (Appendix V bis to the Staff Regulations), in force as at the date of adoption of this resolution," shall be replaced by the terms "applicable pension scheme".

2. Article 10, paragraph 2, subparagraph (ii) of Resolution [CM/Res\(2009\)5](#) shall be deleted, and a new paragraph 3 shall be inserted, to read as follows:

“The age at which judges affiliated to New Pension Scheme “NPS” (Appendix V bis to the Staff Regulations) become entitled to a retirement pension, without reduction due to early departure, shall be:

- 63 years for those having reached the age of 55 on 1 January 2013;
- 63 years and 6 months for those aged between 50 and 55, without having reached their 55th birthday, on 1 January 2013;
- 64 years for those aged between 45 and 50, without having reached their 50th birthday, on 1 January 2013;
- 64 years and 6 months for those aged between 40 and 45, without having reached their 45th birthday, on 1 January 2013;
- 65 years for those who have not reached the age of 40 on 1 January 2013.”

3. In Article 10, paragraph 2, subparagraph (i), of Resolution [CM/Res\(2009\)5](#), the terms “to be paid according to subparagraph (ii) here below” shall be deleted.

4. In Article 10, paragraph 2, subparagraphs (iii), (iv) and (v), of Resolution [CM/Res\(2009\)5](#), the terms “Appendix V bis to the Staff Regulations” shall be replaced by the terms “the applicable pension scheme”.

5. In Article 10, paragraph 2, subparagraph (iv), of Resolution [CM/Res\(2009\)5](#), the terms “Article 33.2 to 33.7” shall be replaced by the terms “Article 33 with the exception of its first paragraph”.

#### **Article 4**

1. Article 14 of Resolution [CM/Res\(2009\)5](#) shall become Article 15 (new).

2. A new Article 14, entitled “Amendments”, shall be inserted in Resolution [CM/Res\(2009\)5](#), to read as follows:

“1. The Court and the Commissioner for Human Rights shall be consulted before making any amendment to their status and conditions of service.

2. The Secretary General may submit proposals for the revision of this resolution to the Committee of Ministers, following consultation of the Court and of the Commissioner for Human Rights, who may also propose amendments to this resolution.”

#### **Article 5**

This resolution shall enter into force on the first day of the month following its adoption.