

UNDT/2011/166, Iskandar

UNAT Held or UNDT Pronouncements

It is clear from the reimbursable loan agreement that UNAMID and WFP agreed on the Applicant's loan at the P-5 level. He thus had no reason to believe that he would be paid at the D-1 level or that he would be promoted to that level by UNAMID. Although the Applicant was informed of his selection for the Deputy Director post, he never received a letter of appointment from UNAMID which could have created contractual rights in his favour. The Applicant failed to demonstrate that UNAMID made any promise to him or committed any fault for which it could be held responsible.

Decision Contested or Judgment/Order Appealed

The applicant, a WFP staff member at level P-5, was loaned as Principal Officer under a reimbursable loan agreement to UNAMID from June 2008 to January 2010. Shortly after he started assuming his duties, his title was changed to Deputy Director due to operational considerations. Later on, he was selected by UNAMID for the post of Deputy Director, Khartoum Liaison Office, at the D-1 level, but he never received a letter of appointment. He retired as a WFP staff member in January 2010. He contested the UNAMID decision not to appoint him to the above-mentioned post at the D-1 level.

Legal Principle(s)

N/A

Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Iskandar

Entity

WFP

Case Number(s)

UNDT/GVA/2010/076

Tribunal

UNDT

Registry

Geneva

Date of Judgement

21 Sep 2011

Duty Judge

Judge Cousin

Language of Judgment

French

English

Issuance Type

Judgment

Categories/Subcategories

Staff selection (non-selection/non-promotion)

Selection decision

Applicable Law

Administrative Instructions

Agreements, conventions, treaties (etc.)

- Inter-Organization Agreement Concerning Transfer, Secondment or Loan of Staff among Organizations applying the United Nations Common System of Salaries and Allowances

Former Staff Rules

- Rule 104.1

Related Judgments and Orders

2011-UNAT-116