
UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2024/045

Order No.: 111 (NY/2024)

Date: 6 November 2024

Original: English

Before: Judge Joelle Adda

Registry: New York

Registrar: Isaac Endeley

DE LUCA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

ON SUSPENSION OF ACTION

Counsel for Applicant:

Self-represented

Counsel for Respondent:

Tamar Gongadze, AS/ALD/OHR/UN Secretariat

Has the contested decision already been implemented?

14. The Applicant contends that “[w]hile the Inspira selection took place on 24

“effective” in the second sentence (see, for instance, *Finniss* Order No. 116 (GVA/2016) and *Wilson* Order No. 241 (NY/2016)). At the same time, the Tribunal notes the Appeals Tribunal’s jurisprudence on the formation of the employment contract according to which the determinative action is the issuance of the letter of appointment and that until then only a “quasi-contract” exists (see,

22. In this context, the Tribunal finds that the issuance of a letter of appointment is not important. In line with sec. 10.2 of ST/AI/2010/3, nowhere in the correspondence between UNVMC and the successful candidate is any reference made to the implementation of the selection decision being conditioned upon the issuance of such a letter of appointment. There is therefore no statutory or contractual basis for the Tribunal to make any other finding than that at the very latest, the selection