



# **INTERNATIONAL SEABED AUTHORITY**

## **JOINT APPEALS BOARD**

**ISBA/JAB/APPEAL/HACKMAN/2025**

**Khalilah Hackman (the "Appellant")**

**v.**

**Secretary-General of the International Seabed Authority  
(the "Respondent")**

### **Judgment of the Board relating to the appeal submitted by the Appellant**

#### *Appeal Concerning the Withdrawal of the Letter of Appointment*

#### **Introduction**

1. The Joint Appeals Board ("JAB/Board") of the International Seabed Authority ("ISA/Authority") is seized of an appeal filed by Khalilah Hackman ("the Appellant") on 6 March 2025 against the decision of the Secretary-General of the ISA ("the Respondent"), dated 2 January 2025, to withdraw a Letter of Appointment (LoA) issued to her on 20 December 2024 by the outgoing/former ISA Secretary-General ("the contested decision").
2. The contested decision withdrew the Appellant's LoA for the position of Legal Counsel/Director, Office of Legal Affairs, at the D-2 level, effective 1 January 2025 and expiring on 31 December 2026, on the grounds that the recruitment process under which the appointment had been made "did not adhere to the established staff selection system and practices".
3. The Appellant asserts that the Respondent's withdrawal of her LoA was unlawful, arbitrary, procedurally incorrect and constituted abuse of authority and seeks the rescission of the contested decision, recognition of the validity of her Fixed-Term Appointment (FTA), and compensation for moral damages suffered.



## Procedural Background

4. On 2 August 2024, during the twenty-ninth session of the ISA Assembly in Kingston, Jamaica, a new Secretary-General of the Authority was elected for the period 2025–2028, effective 1 January 2025.
5. From 10 August 2024 to 24 September 2024, Job Opening number: 24-LEG-ISA-240742-D-KINGSTON (R) for the post of Legal Counsel/Director, Office of Legal Affairs (D2) was advertised through Inspira.
6. On 11 August 2024, the Secretary-General-elect (the Respondent) recommended to the outgoing Secretary-General a temporary suspension of recruitment and termination decisions until her assumption of office, emphasizing the importance of continuity and good administrative practice. She further suggested extending contracts approaching expiry for six months to facilitate preparations for meetings planned for March 2025.
7. On 5 September 2024, the Appellant applied for the advertised post of Legal Counsel/Director, Office of Legal Affairs (D2), and on 1 November 2024, she underwent a written assessment for the post.
8. On 19 November 2024, the Respondent wrote to the outgoing Secretary-General that “all ongoing recruitment processes for the positions listed above be paused immediately.” She explained that “This pause will allow for a thorough review to ensure that all decisions align with the organization’s strategic direction and adhere to sound financial and procedural practices”.
9. On 25 November 2024, the Appellant participated in a competency-based interview for the post of Legal Counsel/ Director, Office of Legal Affairs (D2).
10. By Interoffice Memorandum (IoM) dated 4 December 2024, the Chair of the *ad hoc* Senior Review Group (SRG) that reviewed and provided advice on the recruitment process for the Legal Counsel/Director, Office of Legal Affairs post, recommended to the former Secretary-General that the recruitment process for the post “be continued but not finalised until the elected Secretary-General assumes office in January 2025”.
11. By email dated 6 December 2024, the ISA notified the Appellant that she had been selected for the position of Legal Counsel/Director, Office of Legal Affairs at the D-2 level.



12. By email dated 9 December 2025, the Human Resources Officer confirmed receipt of the Appellant's continued interest for the position.
13. On 13 December 2024, the Director of the Office of Administrative Services (OAS), the Budget and Oversight Officer, the Finance Officer, and the Human Resources Officer issued a joint IoM outlining concerns over ongoing expedited recruitments and recommending to the outgoing Secretary-General that all recruitment processes be held in abeyance effective that date.
14. By email dated 16 December 2024, the Director of OAS transmitted a Biennial Budget Performance Report to the outgoing Secretary-General noting that "the biennium overrun of - 333,902 (**interim**) makes any additional expenses, including recruitment or other commitments unfeasible."
15. On 17 December 2024, the Director of OAS wrote to the outgoing Secretary-General reiterating the concerns raised in the joint IoM dated 13 December 2025.
16. On 19 December 2024, the Appellant's reference checks were finalised.
17. On 20 December 2024, the outgoing Secretary-General signed an LoA offering the Appellant an FTA as Legal Counsel/Director, Office of Legal Affairs at the D-2 level, effective 1 January 2025 and expiring 31 December 2026.
18. The same day, on 20 December 2024, the Appellant accepted and signed the LoA.
19. On 31 December 2024, the Office Manager, Office of the Secretary-General, notified to all ISA staff members that "the office will be closed on 2 January 2025 (and that) work will resume on 3 January 2025."
20. By a letter dated 2 January 2025, the Respondent informed the Appellant on 3 January 2025 that "the letter of appointment previously issued to you by the former Secretary-General is hereby withdrawn".
21. On 6 January 2025, the Respondent promulgated ISBA/ST/AI/2023/3/Amend.2, which amended the procedures for classification and reclassification of posts.
22. The same day, on 6 January 2025, the Appellant requested administrative review of the contested decision and "recission of [the] decision contained in [the] letter of 2<sup>nd</sup> January, 2025,



the resumption of onboarding processes by the Human Resource office and unlocking of [her] official ISA email, locked on 2nd January, 2025, also without prior notification”.

### **Procedural History**

23. On 6 March 2025, the Appellant submitted an appeal before the ISA JAB pursuant to Staff Rule 11.2 of the ISA Staff Rules, challenging the decision of the Respondent dated 2 January 2025 to withdraw her LOA.

24. On 17 March 2025, the Chair of the JAB invited the parties to engage in conciliation in accordance with Rule 9 of the revised JAB Rules of Procedure (RoP). The Respondent declined the offer of conciliation on 21 March 2021.

25. On 24 March 2025, the JAB Secretariat formally notified the Respondent of the appeal and invited the submission of a reply by 23 April 2025.

26. On 28 March 2025, the JAB Secretariat notified the Appellant that her appeal would be heard by the full Board, as it is substantively similar in context and compensation sought to other pending appeals. To ensure consistency and avoid conflicting outcomes, the Chair, pursuant to Rule 28 of the revised RoP and established international tribunal practices, decided to review them together.

27. On 2 April 2025, the Appellant addressed a letter to the Chair of the JAB contesting the referral of her appeal to the “full Board”.

28. On 23 April 2025, the Respondent submitted her reply to the JAB Secretariat. A *Corrigendum* to the reply was received on 24 April 2025.

29. On 24 April 2025, the JAB Secretariat transmitted the Respondent’s reply as well as the *corrigendum* to the Appellant inviting her to submit comments by 22 May 2025.

30. On 20 May 2025, the Appellant submitted a letter to the Chair of the JAB, indicating that based on rule 17(4) of the revised RoP, the appropriate deadline for submitting her comments should be 24 May 2025. She further noted that since 24 May 2025 falls on a Saturday, she would submit her comments on the next working day, Monday, 26 May 2025.

31. By Order No. 11 (2025) dated 21 May 2025, the deadline for the Appellant’s submission of comments on the Respondent’s reply was extended from 22 May 2025 to 26 May 2025.



32. On 26 May 2025, the Appellant filed her comments to the Respondent's reply.
33. On 2 June 2025, the JAB invited the Respondent to submit any additional comments on the Appellant's submission with a deadline of 1 July 2025, should she wish to do so. The Respondent submitted her comments on the due date.
34. By letter dated 21 July 2025 to the JAB, the Appellant reiterated concerns arising from the decision to refer her appeal to the full Board and seeking the recusal of a JAB member under Rule 26(4) of the revised RoP. The Appellant alleged that statements made by the member during the ISA Council's deliberations on 17 July 2025 demonstrated support for the Respondent in matters relevant to her appeal, creating an appearance of bias.
35. By Order No. 13 (2025) dated 19 August 2025, the Chair of the JAB rejected the Appellant's request for disqualification of the JAB member. The full text of the Order reads as follows:

**Order No. 13 (2025)**

**Order on Request for Disqualification of a Board Member**

**Procedural background**

1. On 6 March 2025, the Appellant submitted a Statement of Appeal before the Joint Appeals Board (the "JAB/Board") in accordance with Staff Rule 11.2 of the Staff Rules of the International Seabed Authority (the "ISA/Authority").
2. On 17 March 2025, the Chair of the Board invited the parties to engage in conciliation in accordance with Rule 9 of the Rules of Procedure. The Respondent declined the offer of conciliation.
3. On 28 March 2025, the Secretariat informed the Appellant that her appeal would be heard by the full Joint Appeals Board.
4. On 2 April 2025, the Appellant addressed a letter to the Chair of the JAB contesting the referral of her appeal to the "full Board". The Appellant invoked Staff Rule 11.2(e)(i), which requires a three-member panel consisting of the Chair, one member appointed by the Secretary-General, and one member elected by the staff. She argued that this prescription should prevail over the revised Rules of Procedure and further expressed concerns regarding the independence and constitution of the current Board.



5. On 21 July 2025, the Appellant addressed a further letter to the Board, reiterating concerns arising from the decision to refer her appeal to a full Board and raising an objection under Rule 26(4) of the Rules of Procedure. The Appellant invoked the requirement that a member who appears to have a conflict of interest must recuse themselves, submitting that such circumstances had arisen in respect of [a Board member].

6. The Appellant referred to the Council’s deliberations of 17 July 2025 on the Finance Committee Report, during which [the Board member], in [their] capacity as representative of [their Country], expressed support for the Secretary-General (the “Respondent”). The Appellant contended that such remarks, given in a context involving matters connected to pending appeals, gave rise to an appearance of bias and impaired [the Board member’s] ability to act impartially in [their] role as a member of the Board.

7. In light of the foregoing, the Appellant requested that [the Board member] recuse [themselves] from participation in the review of the appeal and further requested that the Secretariat circulate the letter to all members of the Board and notify her of the [Board member’s] position on the matter.

8. In response to the Board, the [Board member] clarified that their intervention was delivered in [their] capacity as Head of Delegation of [their Country], was part of a broader statement supporting the Chair of the Finance Committee, thanking for the report, and addressing the report’s contents. [The Board member] stated that [they] did not focus on appointments or matters related to the appeal and that expressions of support for institutional work are standard in diplomatic proceedings.

9. Pursuant to Rule 26.1 of the Revised RoP, the decision on recusal requests rests with the Chair of the Board. Consistent with jurisprudence, including para. 32 of Aysha Al-Rifai 2022-UNAT-1240, such decisions are to be rendered separately and prior to any ruling on the merits.

### **Applicable Legal Framework**

10. Rule 26(4) of the JAB Rules of Procedure defines conflict of interest as “any factor that may impair or reasonably give the appearance of impairing the ability to decide independently and impartially on an appeal.” A member with a conflict shall recuse themselves, failing which the Chair may decide on disqualification. This requirement of impartiality is in accordance with the UNAT rulings to preclude bias and retain the principle of impartiality (See Al-Rifai 2022-UNAT-1240, para. 28).



11. It is a well-established principle that adjudicators must withdraw from a matter where impartiality may reasonably be questioned (*Varnet v. UNESCO*, ILOAT Judgment No. 179; *Finnis 2014-UNAT-397*, para. 22; *Savadogo 2016-UNAT-642*, para. 48). The test is whether “a fair-minded and informed observer, having considered the facts, would conclude that there is a real possibility of bias” (*Masri 2016-UNAT-626*, para. 21).

### **Analysis**

12. The core issue is whether [the Board member’s] expression of “full support” to the Secretary-General, in the context of a Council meeting, would lead a reasonable and informed observer to conclude that there is a real possibility of bias in adjudicating the Appellant’s appeal.

13. It is undisputed that the statement in question was made while the [Board member] was acting as [Head of Delegation of their Country], speaking on behalf of [their] government during formal Council deliberations. Such interventions are part of the diplomatic function of national representatives.

14. There is nothing in the applicable framework that prohibits an active diplomat from being appointed in their personal capacity, from serving as a JAB member, provided they can act independently and impartially. The decision to appoint such individuals is a policy matter beyond the JAB’s mandate to review.

15. The Appellant’s allegation of bias is based solely on the cited generic phrase of “full support” and does not point to any conduct by [the Board member] in [their] role as a JAB member that would indicate personal prejudice or predisposition in this case.

16. In an overturned case, involving a judge who “has erred previously” even in the same case, the UNAT ruled that it was “not alone a ground to disqualify that same judge from deciding other issues in or the remainder of the case” (See *Nigam 2024-UNAT-1446*, para. 19).

17. Furthermore, [the Board member], who was elected by the staff before the recomposition of the Board in 2025, explained that [their] remarks were part of a longer statement covering procedural and substantive points unrelated to the Appellant’s case and did not address personnel appointments at issue in the appeal.

18. The impartiality of all JAB members is presumed unless proven otherwise. On the evidence before the Chair, there is no objective basis to conclude that [the Board member’s] ability to decide the appeal independently and impartially is impaired, or that there is a reasonable appearance of such impairment.



19. Having considered the Appellant's submissions, [the Board member's] clarification, and the applicable legal standards, the Chair finds that the circumstances do not meet the threshold for disqualification under Rule 26(4). The JAB retains its jurisdiction to hear and decide the Appellant's appeal with its current composition.

### **ORDER**

20. For the aforementioned reasons, the Appellant's request for disqualification of [a Board member] is REJECTED; and

21. The Appellant's remaining submissions, including her letter of 2 April 2025, will be addressed in the final judgment in the case of *Khalilah Hackman v. Secretary-General of the ISA*.

**Order dated 19th day of August 2025**

### **Summary of the Appeal**

36. The Appellant challenges the administrative decision dated 2 January 2025 to withdraw her LoA issued on 20 December 2024 for the post of Legal Counsel/Director, Office of Legal Affairs at the D-2 level. She submits that this position was constituted and budgeted by a decision of the Assembly of the Authority and consistent with Staff Regulation 4.5, pursuant to which “[t]he staff shall be appointed by the Secretary-General.”

37. The Appellant maintains that her recruitment was “procedurally compliant” and contrary to the Respondent’s reference to a “rushed” recruitment, the selection process for the position of Legal Counsel/Director, Office of Legal Affairs, “from application to the issuance of the LoA, lasted some four months (from 24 August to 20 December 2024).”

38. Furthermore, the Appellant contends that the post of Legal Counsel/Director, Office of Legal Affairs at the D-2 level was already established within the approved establishment table of the Authority for the financial period 2025-2026.

39. Therefore, the withdrawal of her LoA was “wrongful and unlawful because it represents a non-existent (purported) form of bringing a mutually binding contractual relationship between the Appellant and the Authority to an end. As such, it infringes the norm of *pacta sunt servanda*”. She outlines that such exercise of powers contradicts Article 166 of UNCLOS and contravenes the recommendation of the Finance Committee of July 2024.



40. Finally, the Appellant submits that considering her FTA, the contested decision constitutes an unlawful separation from service, contrary to ISA Staff Regulations and Rules, as well as basic principles of international administrative law. She outlines that where the Respondent refers to non-adherence to the staff selection system and practices as well as financial and organizational considerations as the basis of the contested decision, such grounds do not constitute a legal basis to withdraw her LoA in contravention of the rules of the Authority, established principles of administrative law and the practices of the international civil service.

### ***Relief Requested***

41. The Appellant seeks the following relief:

- (a) Rescission of the contested decision, and reinstatement as an ISA staff member;
- (b) In the alternative, the amount of USD347,760.00 as compensation;
- (c) An award of USD50,000.00 as moral damages;
- (d) An award for legal costs.

### **Summary of the Respondent's Reply**

42. The Respondent submits that the appeal is not receivable *ratione personae* due to lack of standing. She asserts that the Appellant is not a current or former staff member of the ISA. When the Appellant received an LoA, she had no active employment contract with the Organization.

43. On the merits, the Respondent submits that the contested decision is lawful. By withdrawing the Appellant's LoA, she also "discontinued the recruitment process for several positions, including the purported recruitment process related to the Appellant, noting that there were serious irregularities in the implementation of the recruitment procedures."

44. Amongst several irregularities related to the Appellant's recruitment process, the Respondent outlines that "the HRO never received any medical clearance for her recruitment."

45. The Respondent acted in her capacity as Chief Administrative Officer of the ISA and took appropriate action to correct a legal error, by withdrawing an unlawful LoA.

46. Finally, the Respondent claims that the LoA was issued *ultra vires* and that she "was legally obligated to correct ...unlawful actions".



## **Appellant's Comments on the Respondent's Reply**

47. On 26 May 2025, the Appellant filed her comments on the Respondent's reply.
48. The Appellant underlines that "medical references were submitted, and any failure to acknowledge them could only have been the Secretariat's, not the Appellant's fault".
49. She argues that the Respondent is in default for having missed the filing deadline of her reply.
50. The Appellant outlines that she "was unanimously selected out of 40 candidates for the most senior position in ISA after the Secretary-General". She reiterates that the post of Legal Counsel established since 2008 was a regular budgeted position approved by the Assembly in the establishment table for the 2025-2026 financial period.
51. Finally, the Appellant reiterates that the selection process was regular and that she was recommended for selection and endorsed by all members of the *Ad Hoc* Senior Review Group.

## **Respondent's Further Comments**

52. In her additional comments dated 1 July 2025, the Respondent submits that she filed her reply to the JAB on 23 April 2025 and that the Appellant's assertions in this regard are incorrect and should be dismissed.
53. The Respondent further submits that "the appeal must be rejected based on lack of standing and that the Appellant was wrongfully issued a LOA."
54. The Respondent reiterates that an LoA was issued to the Appellant without medical clearance. She asserts that "Where candidates for employment are not granted medical clearance, they shall be considered as not having fulfilled the requirements and may not be recruited".
55. The Respondent contends that the irregularities observed in the recruitment process of the Appellant "expedited the hiring process for five individuals, including the Appellant, for positions that the former SG knew would remain vacant until after the conclusion of his term".
56. Finally, the Respondent asserts that as the Chief Administrative Officer of ISA, she has rightfully exercised her authority to rectify an unlawful act by rescinding the contested LoA to the Appellant. She maintains that the appeal should be dismissed.



## Considerations of JAB

### *Preliminary Matter: Disqualification of Full Board*

57. By letter dated 28 March 2025, the JAB Secretariat informed the Appellant, that her appeal would be heard by the full Board. The letter explained that, upon preliminary review, the appeal raised issues substantively similar to other appeals currently pending before the JAB, particularly regarding the context and nature of the compensation sought. To ensure consistency in decision-making and to avoid potential conflicting outcomes, the Chair of the JAB, acting in accordance with Rule 28 of the Revised RoP of the JAB and established practices of other international tribunals, determined that the appeal should be considered by the full Board.

58. On 2 April 2025, the Appellant objected to the full-Board referral and sought the disqualification of the Board's members. She argued that under Staff Rule 11.2(e)(i), each appeal must be adjudicated by a three-member panel (a Chair, a member appointed by the Secretary-General and a member elected by the staff) and that the full-Board referral was therefore procedurally irregular. She also challenged the legitimacy of the January 2025 reshuffle of Board members and alleged conflicts of interest affecting certain members.

59. The Board observes that requests for disqualification constitute preliminary matters and must be addressed before consideration of the merits. In assessing such requests, the Board applies the principles of impartiality and independence, taking into account both actual bias and the appearance of bias, while balancing the interest of efficient administration of justice.

60. The Board notes that, in the present case, the appeal is being considered by the full composition of the Board. This approach reflects both the significance of the issues under review and the Board's concern to ensure collective responsibility in its determinations.

61. With respect to the procedural objection concerning Staff Rule 11.2(e) and the constitution of the Board, the Board notes that, while Staff Rule 11.2(e)(i) provides that appeals are ordinarily to be heard by a three-member Panel, this Rule must be read together with Staff Rule 11.1(e), which authorizes the Board to establish its own rules of procedure. Pursuant to this authority, Rule 28 of the Revised RoP expressly provides that, when the Chair, or any two members sitting on a particular Panel, consider that the appeal so warrants, the case shall be heard by the full Board. This framework is consistent with the Staff Rules, which do not preclude the hearing of cases by the full Board.



62. With respect to the allegation of a conflict of interest arising from the reshuffling of Board members in January 2025, the Board observes that no objective evidence on the record demonstrates that any member appointed after that date has a direct personal or financial interest in the outcome of this appeal. While the Appellant raises concerns regarding the legality of the appointment of these members, the Board is satisfied that these concerns do not, on their own, disqualify the members from participating in the appeal.

63. With respect to the Appellant's objections to individual members, the Board finds no evidence on the record demonstrating that any member appointed before/after January 2025 has a personal or financial interest in the outcome of this appeal or is otherwise disqualified. Allegations based solely on prior institutional roles, prior advocacy or generalized concern about a reshuffle are insufficient. Disqualification requires more than speculative doubts; it requires objective grounds of bias or conflict of interest.

64. Having reviewed the Appellant's grounds, and in the absence of any credible indication of actual or reasonably apprehended bias, the Board rejects the request for disqualification of the members of the Board and confirms that the Board is properly constituted to hear this appeal.

***Preliminary Matter: Full Board Composition Justification***

65. The Board recalls that, in the present case, the judgment was deliberated upon and adopted by the full composition of the Joint Appeals Board. This approach reflects both the significance of the issues under review and the Board's concern of ensuring collective responsibility in its determinations.

66. In the present circumstances, the pending appeals share significant similarities, both in their factual context and in the nature of the remedies sought. Referring these cases to the full Board avoids the risk of divergent conclusions by different Panels and promotes consistency, coherence, and procedural efficiency. Moreover, the practice of referring complex or precedent-setting cases to a full bench is well established in other international administrative tribunals, reinforcing the legitimacy of this approach. Accordingly, the referral of the Appellant's case to the full Board was justified and fully in line with the applicable Staff Rules and the Revised RoP.



### ***Issues for Determination***

67. The Board is called upon to determine the following issues:

- (a) The receivability of the appeal;
- (b) The validity of the appointment and lawfulness of the withdrawal of the LoA;
- (c) Whether the contested decision respected the Appellant's rights to due process and legitimate expectation;
- (d) and whether the Appellant is entitled to any of the remedies sought, including rescission, or compensation for material and moral damages.

### ***Scope of the Board's Mandate and Inherent Power to Award Compensation***

68. Before turning to the main issues under consideration, the Board recalls that its consideration of appeals is undertaken pursuant to Staff Rule 11.1(e) and the Revised RoP of the JAB, effective March 2025. Under this framework, the Board plays a key role in ensuring the fair and consistent application of the Staff Regulations and Rules of the Authority and in providing an impartial mechanism for the settlement of employment related disputes.

69. Rule 32 of the Revised RoP provides that the Board "shall consider and decide the appeal." The use of the term "decide" reflects the Board's full authority to determine matters before it and, where appropriate, to pronounce upon remedies in accordance with applicable rules.

70. Accordingly, in the exercise of its adjudicative functions, the JAB retains inherent power to award compensation where necessary to achieve justice and give full effect to its determinations. This authority flows naturally from the Board's mandate to ensure effective redress, protect legitimate expectations, and uphold the principles of good administration, even where such powers are not explicitly enumerated in the Revised RoP.

71. However, the Board notes that, as the Staff Rules and the Revised RoP do not expressly confer the power to award monetary compensation, such authority must be exercised with limitations and in accordance with the standards developed by international administrative tribunals. In line with United Nations Appeals Tribunal (UNAT) and United Nations Dispute Tribunal (UNDT) jurisprudence any award of compensation must be justified by a proven breach of the staff member's rights. The Board therefore does not exercise unlimited power but acts within the limits of reasonableness, proportionality, and established legal standards.



72. In exercising this remedial power, the Board is guided by the principle of proportionality, ensuring that any compensation granted corresponds to the extent of harm established, while also reflecting the overall financial and organizational context of the Authority. In the present case, the Board has taken note of the Authority’s transitional staffing and budgetary circumstances, as evidenced in the memorandum of 13 December 2024 and the Biennial Budget Performance Report of 16 December 2024, when assessing the appropriate quantum of compensation.

73. The Board will now proceed to apply this framework to the issues raised by the parties, including receivability, legality, due process, legitimate expectation, and remedy.

### ***Receivability of appeal***

74. In considering whether the appeal is receivable *ratione personae*, the JAB is required to satisfy itself that the Appellant has standing before it (See *Basenko* 2011-UNAT-139, para. 9; *Fakhouri*, 2025-UNAT-1577, para. 45). Under Staff Rule 11.2(a), only staff members may initiate an appeal. However, the UNAT has clarified that this right, in some restrictive cases, extends to individuals who are not formally staff members but whose contractual or administrative relationship with the Organization gives rise to a direct interest in the contested decision.

75. In *di Giacomo*, (2012-UNAT-249, para.20), the UNAT “recognized that access to the new system of administration of justice could be extended to a person who is not formally a staff member but who could legitimately be entitled to rights similar to those of a staff member.” (See also *Gabaldon* 2011-UNAT-120, para 29-30).

76. The contested decision dated 2 January 2025 refers to “established staff selection system and practice” in the recruitment, and to “organizational and financial considerations” as the reasons for withdrawing the LoA that had been issued and accepted by the Appellant. It reads as follows:

Dear [Appellant]

I am writing to you regarding the letter of appointment with effective date of 1 January 2025 for the position of Legal Counsel D2, which was issued to you by the former Secretary-General.

Upon a thorough review of our recruitment processes, it has come to our attention that the selection process for this position did not adhere to the established staff



selection system and practices. Furthermore, in alignment with our ongoing commitment to fiscal responsibility and efficiency, as well as ISA's human resource objectives for 2025, we must carefully assess our staffing commitments in light of the current financial situation.

In light of these considerations, I regret to inform you that we are unable to proceed with the completion of the onboarding procedures for this position. As such, the letter of appointment previously issued to you by the former Secretary-General is hereby withdrawn.

Please rest assured that this decision is based solely on organizational and financial considerations and in no way reflects upon your qualifications or suitability for the role. Additionally, should the position be re-advertised in the future, you will automatically be shortlisted without the need to reapply.

We sincerely appreciate your interest in the ISA and encourage you to consider applying for other opportunities with us.

Should you have any comments or concerns, please do not hesitate to contact our Human Resources Office within 10 calendar days.

I sincerely regret any inconvenience this decision may cause and greatly appreciate your understanding.

Yours sincerely,

(signed)

Secretary-General

INTERNATIONAL SEABED AUTHORITY

77. The Respondent submitted that the appeal is not receivable *ratione personae* as the Appellant lacks standing to challenge the contested decision. The Appellant is not a current or former ISA staff member and the LoA issued to the Appellant by the former Secretary-General was null and void *ab initio*, meaning the Appellant never acquired staff member status or legal standing to appeal.

78. The question of when the Organization legally undertakes to employ a person as a staff member was considered by UNAT in *Gabaldon* 2011-UNAT-120. The UNAT noted that, in accordance with its Judgment in *El Khatib* 2010-UNAT-029, the issuance of a letter of appointment to an individual who has accepted a duly signed offer of appointment enables the individual a sufficient



legal interest to challenge its subsequent withdrawal (*See Gabaldon 2011-UNAT-120*, para.28). “Finding otherwise would mean denying the right to an effective remedy before a tribunal in respect of acts of the Organization that may ignore rights arising from a contract, as stated above, which was concluded for the appointment of a staff member” (*Gabaldon 2011-UNAT-120*, para. 29).

79. The JAB is competent to hear and pass judgement on an appeal filed against any administrative decision that affects a person's terms of appointment, including a decision that denies or terminates an employment relationship. When an individual challenges the validity of an administrative decision purporting to extinguish an employment relationship established by a formal instrument, the individual is deemed to have *locus standi* to bring the matter before the internal justice system.

80. The Board recalls that receivability rests on the existence of a concrete factual situation giving rise to a direct legal interest, and not on the legality or legal effectiveness of the Letter of Appointment itself. In the present case, the Appellant’s acceptance of the LoA issued on 20 December 2024 placed her in a concrete factual and administrative situation *vis-à-vis* the ISA. The issuance and acceptance of the LoA created a legally cognizable relationship sufficient to ground receivability.

81. In that context, the unilateral withdrawal of the LoA directly affected the Appellant’s legal position and expectations arising from that concrete factual situation. The Board therefore finds that the withdrawal constitutes an administrative decision within the meaning of Staff Rule 11.2, subject to review by the internal justice system, irrespective of the ultimate determination as to the legality of the LoA or the existence of a valid contract of employment.

82. To deny the Appellant standing simply because the Administration deems the underlying instrument invalid would place the Administration's contention beyond judicial review. Therefore, the Board finds that the decision of 2 January 2025, which unilaterally purported to extinguish the Appellant's employment relationship established by the LoA, is an appealable administrative decision.

83. Accordingly, the Board concludes that the appeal is receivable *ratione personae* and *ratione materiae*.



## Merits of the Appeal

### *Distinction between Legal Validity and Policy Convenience*

84. The first issue concerns whether the Respondent's decision constituted an unlawful re-scission of a valid appointment or a lawful withdrawal justified by organizational necessity and fiscal prudence.

85. The Appellant maintains that the decision was based on policy considerations rather than legality and therefore lacked a lawful foundation. She points out that the Respondent's own *Aide-Mémoire* of 2 January 2025 described the recruitments made under her predecessor as "procedurally compliant," indicating that no rule had been violated.

86. The Respondent, by contrast, submits that the withdrawal was a lawful administrative act, taken under Staff Regulation 4.5, which grants the Secretary-General full discretion over staff appointments and their withdrawal, especially when organizational needs or financial conditions so require.

87. The JAB recalls that it is "not conducting a merit-based review, but a judicial review. Judicial review is more concerned with examining how the decision-maker reached the impugned decision and not the merits of the decision-maker's decision." (*Sanwidi* 2010-UNAT-084, para. 42).

88. A decision may be annulled if it is unlawful, procedurally defective, or manifestly unreasonable, but not merely because a different policy might have been preferable.

89. This limitation has been repeatedly affirmed in international jurisprudence. *Andronov* United Nations Administrative Tribunal Judgment No. 1157 (2003) held that judicial review is confined to the legality, not the advisability, of administrative decisions; *Sanwidi* 2010-UNAT-084, para. 42 emphasized that tribunals must not substitute their judgment for that of the administration unless there is illegality, procedural irregularity, or manifest unreasonableness. *Wasserstrom* UNAT-2011-107 confirmed that tribunals cannot review the "merits" or "wisdom" of managerial decisions; *Webster* UNAT-2020-983 reiterated that the ISA's JAB is limited to assessing legality and procedural regularity.

90. The distinction between revocation of lawful acts for reasons of convenience, producing *ex nunc* effects, and annulment of unlawful acts for reasons of legality, producing *ex*



*tunc* effects, is also fundamental. Once an appointment has been notified and accepted, it creates legitimate expectations protected under the principle of legal certainty. The administration's power to revoke such an act is therefore restricted and must be justified by an overriding public interest, with appropriate compensation where individual reliance has occurred.

91. The Board accepts that fiscal responsibility and budgetary control fall squarely within the Secretary-General's managerial discretion and constitute legitimate grounds for revisiting pending appointments. A decision motivated by fiscal necessity and organizational realignment is, in principle, reasonable and lawful, provided it is not arbitrary or tainted by improper motive.

92. The fact that the Respondent decided to withdraw the LoA due to, *inter alia*, "procedural irregularities", but later acknowledged the recruitment to have been "procedurally compliant" does not, in itself, render the decision unlawful. The apparent inconsistency between deciding on withdrawal and acknowledging procedural compliance is explained by the distinct basis of the decision: it was not the legality of the recruitment process that motivated the action, but the financial and structural implications of proceeding with the appointment. Accordingly, this inconsistency is inconsequential to the legal outcome.

### ***Unlawfulness in the Issuance of the LoA***

93. The Board now turns to the alleged unlawfulness of the issuance of the LoA. The documentary record indicates not only a failure to fulfil the recruitment requirements, but also significant concerns regarding the exercise of authority by the former Secretary-General, including: (a) failure to heed internal advice; (b) overriding of delegated authority; and (c) lack of completion of mandatory onboarding and clearance procedures.

94. Each issue is examined in turn.

#### ***(a) Failure to Heed Internal Advice***

95. The Board notes that as early as 4 December 2024, the Chair of the *ad hoc* SRG, recommended to the former Secretary-General that the recruitment process for the post "be continued but not finalised until the elected Secretary-General assumes office in January 2025." He made this recommendation based on standard practice in other international organisations he had worked with "to ensure continuity during leadership transitions while avoiding decisions that may have significant, long-term organisational impacts. Specifically, appointments to senior



management positions are often deferred to allow the incoming head of the organisation to make such decisions.”

96. Further, the Board notes that: the Joint IoM dated 13 December 2024, issued by the Director of OAS, the Human Resources Officer, the Finance Officer and the Budget and Oversight Officer, and the Director of OAS’ IoM of 17 December 2024 requesting the former Secretary-General to halt all ongoing and pending recruitments, citing procedural deficiencies and financial risk; and the Biennial Budget Performance Report were not adequately taken into consideration by the former Secretary-General.

97. The IoM reads as follows:

INTEROFFICE MEMORANDUM

TO: Former Secretary General

From: As signed

Date: 13 December 2024

SUBJECT: Concerns over the recruitments

1. Meetings were called by the Director of the Office for Administrative Services on 11, 12 and 13 December, to include relevant heads of units on 12 December 2024, to discuss the Administrative, Human Resources, financial and budgetary implications of the ongoing recruitments for the year 2024 & 2025.
2. We (participants of the meeting as signed to this Memo) note with serious concern over the decision of the Secretary-General to expedite the recruitment of 10 positions (20 per cent of the Organization's workforce, and 30 per cent of international professional staff) within the remaining weeks of 2024. The approach taken raises significant issues for the Organization, including deviations from established recruitment process and practices, potential compromises in the quality of recruitment outcomes, and undue pressure placed on the Human Resources Officer and other supporting staff, who have been working excessively, including all weekends and nights from October 2024, under immense stress to meet unrealistic deadlines.
3. It is recalled that the Assembly authorized transfers within sections, subsections, and programmes up to 15%. Based on the most recent budget projections, the maximum transfer from sections 3 and 4 is US\$97K. However, this transfer does not reduce the overall over- expenditure on section 1 (General Administrative Fund), even with



the potential savings in the overall budget and reversal from the ISA Cost Recovery fund. Importantly, the Assembly did not authorize using balances from the Enterprise budget to cover ISA account over-expenditures. Auditors may comment on and potentially qualify their opinion regarding these transfers.

4. Sending Letters of Offer in 2024 raises concerns under IPSAS, particularly IPSAS 19 (Provisions) and IPSAS 1 (Financial Statements). Under accrual accounting principles, liabilities and expenses must be recognized in the period they are incurred. Issuing such letters in 2024 might be considered as commitments for the same year. The current level of expenditure of the 2023- 2024 budget does not give space for additional commitment in the budgetary process, leading to improper forward recognition of obligations. This could result in financial misstatements and undermine transparency and accountability.

5. As per Financial Regulation 3.10, the Secretary-General may enter commitments for future periods only in special circumstances. Positions approved for 2025 do not fall under such provisions. Therefore, Letters of Offer for employment in 2025 should not be issued in 2024. Auditors may also comment on this issue and potentially qualify their opinion if liabilities for future periods are improperly recognized. Finally, the finance budget and IPSAS is to be taken into account as transparent and pure technical from administrative perspective.

6. While without any intention of undermining the authority of the current Secretary-General until 31 December 2024, we have to keep in mind and highlight the importance of equally respecting and not undermining the authority of the incoming Secretary-General from 1 January 2025, including her prerogative to re-structure the Secretariat in accordance with her strategic priorities. This aligns with the precedent set when you undertook a similar restructuring upon assuming office in 2017. Proceeding with significant recruitments in less than one month prior to the incoming Secretary-General assumes her role from 1 January 2025, risks pre-empting her discretion and creating avoidable legal, operational, and financial complications and eventually undermining her authority to implement the mandate of the Organization within the approved budget.

7. Given these serious and careful discussions and considerations, keeping in mind the best interest of the Organization, we unanimously and firmly recommend the Secretary-General hold, from 13 December 2024, all pending and ongoing recruitment processes, as well as any associated travel and ticketing arrangements. This prudent measure ensures that the incoming Secretary- General can review the ongoing



recruitments and determine the best course of action in line with her vision for the Organization.

8. In conclusion, this internal memorandum is presented strictly from a technical and professional perspective by the senior officers of the Office for Administrative Services. We strongly believe the recommendation above is made to safeguard the Organization's financial and operational integrity, ensure compliance with established rules and regulations, and support the incoming Secretary-General to fulfil the mandate of the Organization and set her strategic directions.

9. It is important to emphasize that this memorandum is not intended as an act of insubordination but rather as a constructive and prudent measure in the best interest of the Organization. We trust that the recommendation above will be understood in the professional and technical spirit in which they are presented, and we respectfully expect that no retaliation or misinterpretation will arise from this submission.

98. The former Secretary-General's email dated 17 December 2024 to the Chief of Staff and Head of the Strategic Planning Unit directing that "all letters of appointment for selected staff" be finalized that same day, including one as extrabudgetary, demonstrates that the LoA was issued notwithstanding legitimate internal objections.

99. Moreover, the JAB observes that the LoA issued to the Appellant was set to take effect on 1 January 2025, a public holiday in Jamaica when the ISA was closed. This timing significantly undermines any assertion of a vested contractual entitlement or reliance interest.

***(b) Overriding Delegated Authority***

100. The record indicates that on 17 December 2024, the former Secretary-General took the step of issuing the LoA notwithstanding the delegated authority of the Director of OAS to this effect. This suggests that the standard administrative clearance process was not followed in full. The Board views this as an element that reflected a departure from ordinary administrative practice, which affected the manner in which the LoA was issued.

101. As a result, the usual administrative chain of authority does not appear to have been fully observed, leading to the issuance of letters of appointments that would not otherwise have proceeded through the regular clearance process. This, in the Board's assessment, indicates that the LoA was issued in a way that extended beyond established administrative discretion, thereby raising questions regarding its validity.



***(c) Lack of Completion of Mandatory Onboarding and Clearance Procedures***

102. The Appellant asserts that her appointment formally commenced on 1 January 2025. The record does not support this assertion. There is no evidence that the Appellant (i) entered official travel status; (ii) relocated to the duty station; (iii) commenced service; or (iv) completed any onboarding steps such as confirmation of duty commencement, issuance of travel authorization, security clearance, payroll or system activation, or any other administrative action associated with the assumption of duties.

103. In her comments to the Respondent's reply, the Appellant indicated that her reference checks were completed on 19 December 2024. She contends that she was never "requested to provide a medical clearance notwithstanding follow-up emails regarding onboarding matters" (Appellant's comments on the Respondent's reply, para. 28). However, the requirement for medical clearance applies automatically under ISA Staff Regulation 4.7 and Section 10.4 of ISBA/ST/AI/2023/3 (Staff Selection System) and does not depend on individual notification.

104. Staff Regulation 4.7 stipulates that "The Secretary-General shall establish appropriate medical standards that staff shall be required to meet before appointment."

105. The relevant part of ISBA/ST/AI/2023/3 reads as follow:

**Section 10: Notification and implementation of the decision**

10.4 Medical clearance for employment is valid for three months and for the duty station and job type for which it was granted. Where candidates for employment are not granted medical clearance, they shall be considered as not having fulfilled the requirements and may not be recruited.

106. In international organizations, medical clearance is a condition for an LoA. An LoA is made subject to medical clearance, meaning the appointment is not final until the selected candidate meets health requirements. The Appellant was selected for the post of Legal Counsel/Director, Office of Legal Affairs on 5 December 2024. On 9 December 2024, the Authority wrote to the Appellant the following email:



Dear Sir/Madam [Appellant],

We are pleased to confirm receipt of your continued interest for the position of LEGAL COUNSEL/DIRECTOR, OFFICE OF LEGAL AFFAIRS (D2), job opening 240742.

In the coming days, the HR partner assigned to support you with the remaining onboarding procedures as well as to address any specific queries you may have will contact you.

Please do not resign from your current employment before you receive the confirmation of the offer, which will be issued upon satisfactory completion on of the pre-recruitment formalities.

Also, do not make any other financial commitments related to employment at the United Nations, KINGSTON i.e., schooling or housing.

If you are expected to reply to this email or if you wish to reply to it, click reply and the email will be sent to intended recipient (i.e., [omurima@isa.org.jm](mailto:omurima@isa.org.jm)).

Yours sincerely,

International Seabed Authority

United Nations Secretariat

107. Based on the documents filed, there is evidence that the candidate had not fulfilled the requirements for recruitment (see Respondent’s reply, para. 19) and therefore, did not fulfil the requirements for assuming duty under the Staff Rules.

108. The failure to complete these formalities meant that the LoA had not matured into an appointment capable of conferring staff member status or vesting contractual rights. Consequently, in the Board’s assessment, the Administration was entitled to treat the LoA as ineffective and to withdraw it before the Appellant entered duty. Given the incomplete pre-appointment procedures, the withdrawal of 2 January 2025 constituted a lawful corrective action.

109. Compliance by the organization with its rules and procedures related to recruitment is expected and “non-compliance with these would affect adversely a staff member applicant’s terms of employment”. (See *Al Dawoud 2023-UNAT-1402*, para. 71). In the absence of such evidence, the Board accepts the Respondent’s position that the recruitment process had not reached a legally effective stage and that a fundamental breach of the staff selection process



occurred. The Appellant therefore did not fulfil the requirements for assuming duty to be recruited under the Staff Rules.

110. The absence of medical clearance was therefore an unfulfilled condition precedent to appointment, meaning that the Letter of Appointment did not mature into an appointment capable of conferring staff member status or contractual rights.

111. The evidence presented thus demonstrates failure to fulfill the requirements to complete the recruitment process.

### ***Conclusion on Validity of the LoA***

112. The evidence establishes that the Appellant did not enter on duty, did not assume official travel status, did not report for duty, and did not complete the mandatory medical and administrative clearances required prior to appointment. Accordingly, no effective appointment arose within the meaning of Staff Regulation 4.2 and Staff Rule 4.2. The LoA was issued outside the established administrative recruitment process, thereby preventing it from maturing into a legally effective appointment capable of conferring staff member status or contractual rights.

113. Regulation 4.2 of the Staff Regulation provides that,

“Upon appointment, each staff member, including staff seconded from government service, shall receive a letter of appointment stating the date on which service with the Authority is to commence, the duration of the appointment, the notice required to terminate it, the salary rate and any special conditions that may be applicable.”

114. Rule 4.2 of the Staff Rule establishes that:

“The effective date of appointment shall be the date on which the staff member enters into official travel status to assume their duties or, if no official travel is involved, the date on which they report for duty.”

115. In light of the procedural deficiencies identified, namely, the overriding of internal authority, the incomplete medical and the documented financial constraint, the Board concludes that the LoA of 20 December 2024 was issued in violation of the Staff Regulations and Rules and established practices and was therefore, null and void *ab initio*.



116. Accordingly, the withdrawal of the LoA on 2 January 2025 constituted a lawful and necessary corrective measure, consistent with established UNAT jurisprudence requiring the Administration to rectify illegal commitments.

### ***Transitional Context and Managerial Discretion***

117. For the sake of completeness, the Board also notes that the decision occurred in the context of a leadership transition, during which the Respondent sought to assess staffing commitments against the Authority's budgetary situation and strategic direction. Transitional phases of leadership frequently involve policy adjustments, and such review is not inherently unlawful when exercised transparently and in the interest of the organization.

118. As the UNAT observed in *Sanwidi* 2010-UNAT-084, para. 42, managerial discretion must be afforded deference unless there is evidence of illegality, procedural irregularity, or manifest unreasonableness. The exercise of discretion in this case was grounded in the IoM of 13 December 2024 and financial constraints (as evidenced by the biennial budget performance report of 16 December 2024 reporting a shortfall of USD460,000) and the legitimate need to re-evaluate staffing levels.

119. The Board therefore finds that the Respondent's decision was reasonable, proportionate, and made in good faith. There is no evidence that the decision was motivated by bias, arbitrariness, or ulterior purpose.

### ***Binding Nature of the Letter of Appointment***

120. ISA Staff Rule 4.1 provides that "the letter of appointment granted to every staff member contains expressly or by reference all the terms and conditions of employment." Under Staff Regulation 4.5, the Secretary-General holds the authority to appoint staff, but this authority must be exercised consistently with the rules and principles governing administrative acts.

121. The Appellant argues that the LoA, once signed and accepted, created a binding administrative relationship, protected by *pacta sunt servanda*. The Respondent contends that the LoA was an unperfected offer, pending final clearances, and could thus be withdrawn before the Appellant entered service.

122. The jurisprudence of international administrative tribunals recognizes that the issuance and acceptance of a letter of appointment may create a concrete factual and legal situation



capable of generating legitimate expectations on the part of the addressee. (See *Badawi*, 2012-UNAT-261, para. 28; *El-Khatib*, 2010-UNAT-029, para. 16; *Sprauten*, 2011-UNAT-111, para. 23; *Gabaldon*, 2011-UNAT-120, para. 22; *Jarallah*, 2022-UNAT-1296, para. 44). However, where the letter is issued in contravention of mandatory recruitment rules or remains subject to unfulfilled conditions precedent to appointment, it is incapable of giving rise to a lawful contract of employment, notwithstanding the expectations it may have created.

123. In such circumstances, the withdrawal of the Letter of Appointment prior to entry into service does not constitute a termination of employment, but a corrective administrative act aimed at preventing the implementation of an unlawful appointment. While such withdrawal may engage the Organization's responsibility in respect of the legitimate expectations created, it does not operate to validate an appointment that lacked a lawful basis from the outset.

#### ***Reasoning and Due Process***

124. While the Respondent has discretion to cancel recruitment for legitimate organizational reasons, such discretion is not unfettered. International jurisprudence (*Sanwidi* 2010-UNAT-084, para. 40; *Benchebbak* 2014-UNAT-438, para. 19; *Balan* 2014-UNAT-462, para. 25; *Cobarrubias* 2015-UNAT-510, para. 19; *Karseboom* 2015-UNAT-601, para. 43; *Kule Kongba* 2018-UNAT-849, para. 27) requires that such decisions be based on objective, verifiable grounds and comply with principles of good faith and proportionality.

125. In this regard, the Board notes that, while the decision was lawfully taken, the reasoning provided in the withdrawal letter was brief and couched in general terms. References to "fiscal responsibility" and "efficiency" reflect legitimate organizational concerns but do not specify the financial data or administrative findings underpinning the decision.

126. Although this lack of specificity amounts to a deficiency of reasoning, it does not invalidate the decision. It is well settled that "[m]anagerial decisions should be sustained provided that they are free from invidious or improper motivations and are based upon the exercise of reason and proper judgment" (*El-Awar* 2019-UNAT-931, para. 34).

127. In the context of a managerial reassessment undertaken in good faith and supported by contemporaneous documentary evidence as mentioned above, the requirement of reasonableness is satisfied.



128. The Appellant was duly informed of the decision and afforded the opportunity to seek administrative review. The process therefore complied, in substance, with due process requirements, even if the reasoning could have been more explicit.

### ***Legitimate Expectation and Remedy***

129. The Appellant, having received, accepted and duly signed the LoA, developed a legitimate expectation that she would assume the post. The subsequent withdrawal, though lawful, undeniably caused disappointment and some degree of disruption. International jurisprudence recognizes that legitimate expectations created in good faith warrant protection through appropriate and proportionate reparation when they are frustrated (*Wang* 2011-UNAT-140, para. 66; *Jarallah* 2022-UNAT-1296, para. 51).

130. However, compensation must correspond to the extent of actual harm. The Appellant did not commence service, receive salary, or make irreversible financial commitments. Consequently, the Board cannot grant the two years' salary claimed, as this would effectively equate to reinstatement and nullify a valid discretionary act.

131. Nevertheless, the Board accepts that the Appellant experienced material inconvenience and loss of professional opportunity arising from reliance on the appointment. Such harm, though limited, merits recognition. In line with established jurisprudence (*Wu* 2010-UNAT-042; *Messan* 2017-UNAT-802), the Board finds that compensation equivalent to three months net base salary at the D-2 level constitutes fair and adequate redress.

132. In light of the foregoing, the Board finds that while the Respondent's decision to withdraw the Appellant's LoA was a reasonable exercise of managerial discretion, grounded in fiscal responsibility and organizational necessity, it nonetheless gave rise to legitimate expectations on the part of the Appellant, who had accepted an offer of employment in good faith. The decision's lawfulness and proportionality do not extinguish the duty of the Administration to act consistently with the principles of good faith and legal certainty.

133. The Appellant's reliance on the appointment, although not culminating in service, justifies an award of limited compensation for the material inconvenience suffered, but not for reinstatement or damages equivalent to the full term of the contract sought. Such remedy strikes a fair balance between the Authority's right to manage its staffing in a time of fiscal restraint and the individual's right to the protection of legitimate expectations.



## JUDGMENT

134. The Joint Appeals Board **DECIDES** that,

- a. The Appeal is receivable and granted in part.
- b. The Respondent shall pay the Appellant compensation equivalent to three months net base salary at the D-2 level, as material compensation of the withdrawal of the LoA.
- c. Payment shall be made within 60 days of notification of this decision, failing which interest shall accrue at the United Nation's applicable rate until payment is effected.

135. All other claims are rejected.

**Dated 13 January 2026**

**Judge Martha Halfeld Furtado de Mendonça Schmidt**

Chair, Joint Appeals Board

**Georgina Guillén Grillo**

Member, Joint Appeals Board

**Jiefang Huang**

Member, Joint Appeals Board



**Johnny Ibrahim**

Member, Joint Appeals Board



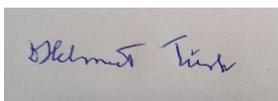
**Abena Kwakye-Berko**

Member, Joint Appeals Board



**Courtney Maxwell**

Member, Joint Appeals Board



**Helmut Tuerk**

Member, Joint Appeals Board