



# **INTERNATIONAL SEABED AUTHORITY**

## **JOINT APPEALS BOARD**

**ISBA/JAB/APPEAL/BOURREL-MCKINNON/GRIEVANCE 3/2025**

**Marie Bourrel-McKinnon**  
**(the “Appellant”)**

**v.**

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

**Judgment of the Board relating to Grievance 3 submitted by the Appellant**  
***Amendment of Administrative Instruction ISBA/ST/AI/2023/3***

### **Introduction**

1. The Appellant is a former Chief of Staff and Head of Strategic Planning Unit at the D-1 level who was working with the International Seabed Authority (ISA/the Authority). She held a fixed-term appointment from 1 January 2024 until 31 December 2028.
2. On 14 March 2025, the Appellant filed the present appeal registered as Grievance 3 before the Joint Appeals Board (JAB/Board) of the Authority, pursuant to Staff Rule 11.2(a) (1) of the Staff Rules and 11 and 17 of the Revised JAB Rules of Procedure (RoP). The appeal challenges the decision dated 6 January 2025 to amend the annex to Administrative Instruction ISBA/ST/AI/2023/3 (Staff Selection System) through the adoption of ISBA/ST/AI/2023/3/Amend.2.



3. The Appellant contends that the contested decision was adopted in abuse of authority and in breach of the Staff Rules and Regulations of the Authority, and that it adversely affected her terms and conditions of employment. She seeks the annulment of the contested decision with immediate and retroactive effect.

### **Procedural Background**

4. On 1 January 2025, the newly appointed Secretary-General (the Respondent) officially assumed office.

5. On 6 January 2025, the Respondent promulgated ISBA/ST/AI/2023/3/Amend.2, modifying the annex on “Procedures for classification and reclassification of posts” by introducing a new section 5.4. as follows:

5.4. On an exceptional basis, and during periods of office restructuring or reform, the Secretary-General may directly authorize the reclassification of a position without requiring prior submission in accordance with standard classification procedures. This authority ensures the efficiency, agility and responsiveness of the secretariat’s organizational realignment. Reclassifications authorized under this provision shall take effect immediately upon the decision of the Secretary-General.

6. On the same date, by Interoffice Memorandum, the Respondent notified staff members that, effective 7 January 2025, and in accordance with the newly amended procedures, the post of Chief of Staff and Head of Strategic Planning Unit would be reclassified to that of Legal Counsel (D-1), reporting directly to the Secretary-General and situated within the Office of Legal Affairs.

7. On 7 January 2025, the Officer-in-Charge of the Office of Administrative Services (OAS) informed the Appellant in writing that her appointment had been terminated, effective the same day, on the basis that her position had been “reclassified and restructured” into a different role.

8. The Appellant submitted a request for administrative review of the amendment of the annex to the Administrative Instruction on 15 January 2025, pursuant to Staff Rule 11.2(a)(1), asserting that the decision constituted a reviewable administrative act that adversely affected her terms of employment.



9. On 14 February 2025, the Respondent rejected the request, maintaining that the contested decision was not a reviewable administrative decision within the meaning of the applicable Staff Rules.
10. Between 8 January and 6 February 2025, the Authority issued a vacancy announcement for the position of Chef de Cabinet at the D-2 level, under Job Opening number 25-POL-250707-D-KINGSTON(R).
11. On 22 January 2025, by Interoffice Memorandum, the Respondent informed all staff members of a “[t]emporary reorganization of the Secretariat of the International Seabed Authority.” The memorandum announced the immediate implementation of three measures, including the relocation of the Compliance Assurance and Regulatory Management Unit (CARMU), the transfer of the Training Coordinator position from the Executive Office of the Secretary-General (EOSG) to CARMU, and a change in the reporting line of the Learning and Development Assistant.
12. Between 6 January to 29 January 2025, the Appellant submitted six applications for suspension of actions before the JAB seeking the immediate suspension of various administrative decisions taken by the Respondent including the present appeal.
13. On 25 February 2025, the JAB dismissed the Appellant’s requests for suspension of action.

### **Procedural History**

14. On 14 March 2025, the Appellant, represented by Counsel, filed the present appeal (Grievance 3) contesting “the administrative decision [...] to amend the Administrative Instruction on the “Staff selection system” (ISBA/ST/AI/2023/3), through a change to the annex regarding “Procedures for classification and reclassification of posts” (ISBA/ST/AI/2023/Amend.2)”.
15. On the same date, the JAB Secretariat requested confirmation from the Appellant’s Counsel regarding the completeness of the appeal, including all annexes and supporting documentation. Confirmation was received on the same day.



16. Following receipt of confirmation, and pursuant to Rule 9 of the Revised RoP, the Chair of the JAB invited the parties to engage in conciliation on 14 March 2025.

17. Both parties declined the offer of conciliation. Consequently, the JAB Secretariat formally notified the Respondent of the appeal and invited her to submit a reply. The deadline for submission was set for 16 April 2025.

18. 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 to other pending appeals 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 tribunal practices, decided to hear them together.

19. On 3 April 2025, the Appellant submitted a request under Rule 26 of the Revised RoP seeking the disqualification of four JAB members, including the Chair, citing actual or apparent conflicts of interest and concerns regarding the composition and reconstitution of the full Board.

20. On 16 April 2025, the Respondent submitted her reply.

21. On 17 April 2025, the JAB Secretariat transmitted the Respondent's reply to the Appellant and invited her to submit comments by no later than 19 May 2025.

22. On 19 May 2025, the Appellant submitted her comments on the Respondent's reply.

23. On the same day, the Chair of the JAB invited the Respondent to submit additional comments in response to the Appellant's submission. The deadline was set for 17 June 2025. The JAB Secretariat received the Respondent's additional comments on that date.

### **Summary of the Appeal**

24. The Appellant contests the amendment dated 6 January 2025 to the annex to ISBA/ST/AI/2023/3, through the insertion of section 5.4, which authorizes the Secretary-General to directly reclassify positions during periods of restructuring. She submits that this amendment was adopted in abuse of authority, in violation of the Staff Rules and Regulations and with direct adverse consequences for her terms and conditions of employment.



25. The Appellant argues that the contested amendment enabled the Respondent to abolish or reclassify posts, including her own, outside the legal framework governing post abolition and termination. She asserts that this decision resulted in the effective restructuring and reclassification of her D-1 level post, contrary to the Assembly's determination in the approved budget for 2025–2026, which had established her post as Chief of Staff and Head of Strategic Planning Unit.

26. The Appellant further contends that the contested decision constitutes a normative act with individual legal consequences, falling within the scope of appealable administrative decisions under Staff Rule 11.2. She maintains that the decision unlawfully modified the normative framework governing all staff members, including herself, and therefore affected her contractual rights.

27. The Appellant seeks the annulment of the decision with immediate and retroactive effect, payment of all entitlements from the date of her termination through the end of her contract in 2028, and compensation for moral harm resulting from the contested decision.

### ***Relief requested***

28. The Appellant seeks the following relief:

- a) The annulment with immediate and retroactive effect of the administrative decision dated 6 January 2025.
- b) The payment of all entitlements due from the date of termination of her fixed-term appointment until the conclusion of her contract with the Authority on 31 December 2028.
- c) Compensation for moral damages for the severe distress, reputational harm, and emotional suffering which she attributes to the contested decision and her toxic work environment.

### ***Request for Oral hearing***

29. The Appellant also requested for an oral hearing “in order that live evidence, and oral submissions can be made.”



### ***Request for Recusal of the Current JAB***

30. The Appellant has raised serious concerns regarding the legitimacy and impartiality of the currently constituted Board. She recalls that the United Nations Appeals Tribunal (UNAT), in Order No. 592 (2025), expressed concern over the dismantling of the former JAB without prior notice or replacement, noting that this action temporarily denied ISA staff members access to justice.

31. The Appellant further contends that the impartiality of the newly constituted JAB has been compromised. She asserts that the JAB previously disregarded verifiable evidence regarding an investigation allegedly obstructed by the Respondent, and that its findings demonstrated a lack of neutrality. She submits that the manner in which the JAB was reconstituted and has since operated undermines its authority to hear disputes arising before its formation.

32. Accordingly, the Appellant requests that the JAB recuse itself from hearing the present dispute on grounds of lack of jurisdiction and procedural irregularity and that the matter be referred directly to the UNAT pursuant to Article 2.1(b) of the UNAT Statute.

### **Summary of the reply of the Respondent**

33. The Respondent submits that the appeal is not receivable as a matter of law, as it does not arise from a reviewable administrative decision within the meaning of Staff Rule 11.2. The Respondent contends that the adoption of an amendment to an administrative instruction, which applies equally to all ISA staff members, constitutes an administrative act of general application and does not produce direct legal consequences on the Appellant's terms of employment.

34. In particular, the Respondent maintains that the contested administrative instruction is prefatory to its application, which has already been contested by the Appellant in a separate grievance (Grievance 2). Therefore, the present appeal challenges a preliminary regulatory measure and not an individual administrative decision capable of adversely affecting the Appellant's rights.

35. The Respondent further submits that the contested decision was adopted to promote the "efficiency, agility and responsiveness of the Secretariat's organizational realignment." It



is therefore an internal normative act directed at enhancing institutional effectiveness and not a determination specific to the Appellant's employment status.

36. The Respondent relies on the jurisprudence of the UNAT, particularly the finding in *Andati-Amwayi* 2010-UNAT-058, para. 18, in asserting that the contested instruction constitutes a non-reviewable administrative action aimed at “promot[ing] efficient and implementation of administrative objectives.” As such, the Respondent argues, the instruction does not give rise to individual rights or obligations and cannot be the subject of a valid appeal under the relevant legal framework.

### **Appellant's comments on the Respondent's reply**

37. In her comments submitted on 19 May 2025, the Appellant asserts that the changes introduced by the contested decision altered her terms and conditions of employment, as well as the terms of employment of all other ISA staff members. She submits that such matters fall within the exclusive normative competence of the ISA Assembly under Articles 166(3) and 167(3) of UNCLOS.

38. The Appellant further contends that this alteration was carried out in breach of a decision of the Assembly, which had formally recognized the Appellant's post at the D-1 level for the 2025–2026 budget exercise.

39. In addition, the Appellant emphasizes that normative instruments such as Administrative Instructions and their annexes, along with the Staff Rules and Regulations, constitute an integral part of a staff member's contract of employment. Accordingly, any unlawful modification of these norms, in her view, produces a direct impact on the staff member's terms and conditions of employment.

### **Respondent's further comments**

40. The Respondent reiterates, in her comments to the Appellant's second response dated 17 June 2025, that the adoption of ISBA/ST/AI/2023/3/Amend.2 falls into the category of non-reviewable administrative actions. She states that there is no evidence showing that the Respondent deliberately targeted the Appellant in her decisions regarding organizational restructuring. Accordingly, the appeal should be rejected.



## Considerations of the JAB

### *Request for Oral Hearing*

41. The Board recalls that, under Rule 29 of the RoP, oral hearings are not held as of right but may be granted where the Board considers that such a hearing is necessary for the fair and expeditious disposal of the case, or for the clarification of specific factual or legal issues. As will be seen below in this judgment, in the present matter, the appeal concerns the adoption of an amendment to an administrative instruction which is a regulatory measure of general application and therefore the legal nature of which is not in dispute and can be assessed solely on the basis of the written record.

42. The Appellant has not demonstrated that live evidence or oral submissions would provide further clarity on the material facts or assist in resolving any contested legal question. The documentary submissions from both parties are comprehensive and sufficient to enable the Board to render its determination.

43. Accordingly, the Board finds that the Appellant's request for an oral hearing is not warranted in the circumstances of this case and is hereby denied.

### *Preliminary matters: Competence and recusal of the JAB*

44. The Appellant challenges the jurisdiction of the Board itself in her appeal, asserting that the JAB lacks competence to adjudicate matters arising before its reconstitution in January 2025. She submits that the prior dissolution of the internal justice system left a procedural vacuum and invokes the principle of the "natural judge" to argue that her claim should be heard by the UNAT under Article 2.1(b) of its Statute, rather than by the newly reconstituted JAB.

45. The JAB notes that the issue of its competence was first raised by the Appellant in her Statement of Appeal dated 14 March 2025, whereas her request for recusal of the entire JAB panel was only submitted subsequently, on 3 April 2025. Given the foundational nature of the jurisdictional objection—namely, that the JAB lacks competence to adjudicate matters arising before its reconstitution—it is appropriate to address this issue first. A tribunal must



confirm its authority to hear a case before considering the composition of the adjudicating body.

46. The JAB recalls that, pursuant to ISBA/ST/SGB/2020/1/Amend.3, the ISA Staff Rules were amended on 23 January 2025 to clarify and enhance the judicial powers of the JAB, in accordance with UNAT judgment No. 2023-UNAT-1369. These reforms granted the Board the authority to issue binding determinations, adjudicate disciplinary appeals directly, and function with full judicial independence. The reconstitution of the JAB, implemented on the same date, ensured continuity in the administration of justice and maintained the Appellant's access to an independent adjudicatory mechanism.

47. Moreover, the Appellant's argument that a tribunal must already be constituted at the time the cause of action arises in order to be competent is without merit. Accepting such a proposition would risk undermining the very possibility of institutional reform or reconstitution of adjudicatory bodies, potentially leaving staff members without recourse during transitional periods. Furthermore, as set out in the procedural history above, there is no doubt that the current composition of the Joint Appeals Board had been fully established by the time Grievance No. 1 was filed on 5 March 2025.

48. In this regard, the JAB finds relevant guidance in the jurisprudence of the United Nations internal justice system, particularly the Campos decisions. In *Campos* UNDT/2009/005, the United Nations Dispute Tribunal (UNDT) explicitly rejected the applicant's request for the recusal of all judges of both the UNDT and UNAT. As noted in paragraph 7.3.1 of the UNDT judgment, "the recusal of all the Judges of the UNDT and UNAT would result in a denial of justice to the Applicant as the only body vested with power to determine his case is the UNDT with an appeal to the UNAT. The Tribunal cannot countenance such a situation and cannot be a party to denying justice to a party." This reasoning was later affirmed by the UNAT in Judgment No. 2010-UNAT-001, which emphasized at paragraph 65 that UNDT/UNAT lacked any statutory authority to dissolve a tribunal established by the United Nations General Assembly.

49. By analogy, the Appellant in the present case cannot unilaterally negate the mandate of the JAB, which was reconstituted pursuant to ISBA/ST/SGB/2020/1/Amend.3, nor



demand wholesale recusal in a manner that would effectively deprive her of access to any competent forum. The JAB, as the body currently empowered by the ISA legal framework to adjudicate internal appeals, cannot entertain arguments that would lead to a procedural vacuum and the denial of justice.

50. Furthermore, the Appellant's argument has already been addressed by the UNAT in Order No. 592 (2025), in which the Tribunal reaffirmed the JAB's competence to consider appeals filed after the reconstitution of the Board and dismissed the Appellant's request for interim relief as moot. The UNAT's finding confirms that the JAB, as currently composed, is a competent body under the ISA framework to adjudicate matters such as the present appeal.

51. The JAB also notes the settled jurisprudence of the UNAT emphasizing the need for judicial finality (*Shanks* 2010-UNAT-026 bis, para. 4; *Dalgaard et al.* 2016-UNAT-646, paras. 9-14; *Loeber* 2018-UNAT-844, paras. 26-28 ; *Ocokoru* 2024-UNAT-1483, para. 50; *Chernov* 2023-UNAT-1320, para. 70). The Appellant's current jurisdictional challenge seeks to reopen matters that have already been settled by the UNAT and this JAB in the context of the earlier proceedings of SoA. While the Board acknowledges that these jurisdictional issues might remain under review by the UNAT on appeal, it finds that the Appellant's current jurisdictional objections merely revisit those same arguments without presenting any new or compelling basis. As such, these objections do not alter the Board's assessment of its competence in the present case.

52. For these reasons, the JAB confirms its jurisdiction and competence to hear the present appeal and finds no legal basis for referring the matter directly to the UNAT.

***Preliminary matters: Request for Disqualification of the JAB Chair and Members***

53. The Board notes that the Appellant submitted a request for the disqualification of four members of the Board, including the Chair, alleging actual or apparent conflicts of interest and raising concerns about the legitimacy of the Board's composition. Such requests engage important principles of impartiality and independence fundamental to the administration of justice.



54. It is well established that adjudicative bodies must be impartial and free from any bias or appearance of bias. The standard for disqualification requires a reasonable apprehension of bias, judged by an objective test whether a reasonable and informed observer would perceive a real likelihood of bias.

55. While the Board notes that the Appellant filed a separate claim in this regard (Grievance # 6), the Board has carefully examined the Appellant's allegations and the circumstances relating to the appointment and constitution of the current JAB. To the extent of this specific case, the Board finds no sufficient basis to conclude that any member's impartiality is compromised or that there exists a real risk of bias. The formation of the JAB complied with the applicable ISA Staff Rules and procedural requirements, and the Board operates independently from the Administration.

56. Accordingly, the Board rejects the Appellant's request for disqualification and confirms its jurisdiction to hear and decide this matter, consistent with its determination in the prior proceedings concerning the Suspension of Action, as set out in Judgment No. *ISBA/JAB/Bourrel/2025*.

***Preliminary matters: Full Board Composition Justification***

57. The Board recalls that, in the present case, the judgments were 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.

58. The Board observes that, while Staff Rule 11.2(e)(i) provides for a Panel to ordinarily hear an appeal, it must be read together with Staff Rule 11.1(e), which authorizes the Joint Appeals 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 whole Board. This framework is consistent with the Staff Rules, which do not preclude the hearing of cases by the full Board.



59. 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***

60. The JAB is called upon to determine the following issues:

- a) Whether the contested decision of 6 January 2025 to amend the annex to ISBA/ST/AI/2023/3 constitutes a reviewable administrative decision within the meaning of Staff Rule 11.2.
- b) If the appeal is receivable:
  - i. Whether the contested amendment unlawfully affected the Appellant's terms and conditions of employment.
  - ii. Whether the Appellant is entitled to the remedies sought, including the annulment of the contested decision with immediate and retroactive effect, payment of outstanding entitlements, and compensation for moral damages.

### ***Receivability and nature of the contested Decision***

61. The JAB notes that the UNAT has repeatedly affirmed that the assessment of receivability must be made *prima facie* and independently of the merits of the case (see *Gehr* 2013-UNAT-313; *Christensen* 2013-UNAT-335; *Cooke* 2013-UNAT-380; *Lee* 2014-UNAT-481).

62. Consequently, the Board is called upon to determine whether the decision dated 6 January 2025, namely the amendment of the annex to ISBA/ST/AI/2023/3, constitutes an administrative decision of individual application subject to appeal under Staff Rule 11.2.



63. The Annex on “Procedures for classification and reclassification of posts” of ISBA/ST/AI/2023/3 provided in Section 5 the following:

5.1 Classification and reclassification of posts is conducted by OneHR centre, an independent and harmonized UN-wide centre of excellence that conducts job evaluations in adherence to ICSC job evaluation and classification, standards and methodologies.

5.2 A notice of the reclassification results, including the final ratings and/or comments on the basis of which the decision was taken, shall be sent by the Human Resources Officer to the requesting head of office and provide a copy to the incumbent of the post.

64. The Annex of ISBA/ST/AI/2023/3 was amended in July 2024 (Amend.1), to rewrite Section 5 as follows:

1. A new section 5.2 is inserted as follows:

5.2 The Human Resources Officer shall send the request for classification or reclassification to OneHR as soon as possible, which shall include:

(a) A complete and up-to-date job description of the post in question, using standardized job descriptions, where applicable;

(b) An up-to-date organizational chart showing the placement of the post in question and of other posts that may be affected by the classification or reclassification requested;

(c) A valid and available post number confirming the existence of a post approved at the appropriate level in the budget, unless the request is submitted for advice prior to a budget submission.

2. Existing section 5.2 is renumbered as section 5.3.

65. The Annex of ISBA/ST/AI/2023/3 was further amended in January 2025 (Amend.2), to include a new Section 5.4 as follows:

1. A new section 5.4 is inserted as follows:

5.4. On an exceptional basis, and during periods of office restructuring or reform, the Secretary-General may directly authorize the reclassification of a position without requiring prior submission in accordance with standard classification procedures. This



authority ensures the efficiency, agility and responsiveness of the secretariat's organizational realignment. Reclassifications authorized under this provision shall take effect immediately upon the decision of the Secretary-General.

2. The present amendment shall take effect on the date of its issuance.

66. It is this last amendment to the Annex of ISBA/ST/AI/2023/3 that the Appellant challenges in this appeal.

67. The Board has consistently held that, under Staff Rule 11.2, a staff member may only contest “an administrative decision that is alleged to be in non-compliance with the terms or conditions of appointment or the contract of employment.”

68. In this regard, the UNAT has long established that administrative decisions that are subject to judicial review are characterized by the following features: (1) they are taken by the Administration; (2) they are unilateral in nature; (3) they are of *individual* application; and (4) they carry direct legal consequences for the staff member concerned.<sup>1</sup> In *Tintukasiri et al.*, the UNDT found<sup>2</sup>, and the UNAT confirmed<sup>3</sup>, that the contested decision did not amount to an administrative decision because it was not of individual application and did not produce direct legal consequences.<sup>4</sup> In this respect, the contested decision was to apply exclusively in the future, for an undefined period, and to an unidentified group of persons.

69. In the present case, the Board finds that ISBA/ST/AI/2023/3 (Amend.2), dated 6 January 2025, was issued for regulatory purposes and with general applicability. Its primary aim was to set out internal procedures and operational guidance within the organization, rather than to make any individualized determination affecting a particular staff member.

70. As such, it did not constitute a reviewable administrative decision within the meaning of Staff Rule 11.2. It did not directly alter the terms or conditions of employment of the

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<sup>1</sup> *Andati-Amwayi* 2010-UNAT-058. See also the definition of “administrative decision” in *Andronov* UNAdT Judgment No. 1157 (2003), which has been adopted by UNAT (*Tintukasiri* 2015-UNAT-526, para. 33).

<sup>2</sup> UNDT/2014/026, paras. 34-42.

<sup>3</sup> 2015-UNAT-526.

<sup>4</sup> See also *Lloret Alcañiz* UNDT/2017/097, paras. 68 & 69; *Lloret Alcañiz* 2018-UNAT-840, para. 57; and *Abd Al-Shakour et al.* UNDT/2018/015/Corr. 1.



Appellant, nor did it carry any individual legal consequences. Rather, it formed part of the internal regulatory framework that governs administrative processes at a general level.

71. Within the legal framework of international organizations, such amendments are generally considered acts of general application. They are intended to guide institutional conduct broadly, applying either to all staff members or to defined categories of staff, without altering terms of appointment of any particular staff member.

72. The JAB likewise finds that the adoption of ISBA/ST/AI/2023/3/Amend.2 served as operational guidance for the ISA and did not change nor directly affect the specific terms or conditions of the Appellant's appointment. It was, in essence, a procedural and regulatory measure with no direct, adverse legal consequences for individual staff.

73. While amendments to administrative instructions may influence future administrative decisions, they are themselves distinct from administrative decisions. As clarified by the UNAT in *Andati-Amwayi* 2010 UNAT 58, para. 18.:

In other instances, administrative decisions might be of general application seeking to promote the efficient implementation of administrative objectives, policies and goals. Although the implementation of the decision might impose some requirements in order for a staff member to exercise his or her rights, the decision does not necessarily affect his or her terms of appointment or contract of employment.

74. After careful consideration of the parties' submissions, the evidence on record, and the applicable legal framework, the Board concludes that the contested measure dated 6 January 2025 namely, the amendment to the annex of ISBA/ST/AI/2023/3, constitutes a regulatory act of general application and does not amount to a reviewable administrative decision. It lacks the individualized and legally consequential features required under Staff Rule 11.2.

75. For these reasons, the appeal is not receivable, and the Board finds no basis upon which to grant the relief sought.

76. The Board further notes that the contested decision introduced by ISBA/ST/AI/2023/3/Amend.2 has since been superseded by ISBA/ST/AI/2023/3/Amend.3, issued on 31 July 2025. As such, the specific provision challenged by the Appellant is no longer in force. Nevertheless, the Board has addressed the legal issues arising from the



contested decision as they stood at the time of the appeal, in line with its duty to assess re-  
ceivability and the nature of the measure under the applicable legal framework.

### **Conclusion**

77. Accordingly, the appeal (Grievance 3) is dismissed.

**Dated this 17th day of September 2025**

**Judge Martha Halfeld Furtado de Mendonça Schmidt**

Chair, Joint Appeals Board

**Judge Abena Kwakye-Berko**

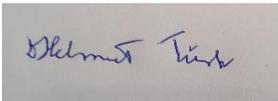
Member, Joint Appeals Board

**Judge Jiefang Huang**

Member, Joint Appeals Board



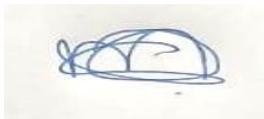
**Judge Johnny Ibrahim**  
Member, Joint Appeals Board



**Judge Helmut Tuerk**  
Member, Joint Appeals Board



**Judge Georgina Guillén Grillo**  
Member, Joint Appeals Board



**Judge Courtney Maxwell**  
Member, Joint Appeals Board