



## **JOINT APPEALS BOARD**

**ISBA/JAB/APPEAL/ BOURREL-MCKINNON/GRIEVANCE 1-7/2025**

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

**v.**

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

### **Order No. 22 (2026)**

#### ***ORDER ON THE REQUEST FOR ANONYMITY IN PUBLICATION OF JUDGMENTS***

#### **Introduction**

1. The present Order concerns a request by the Appellant that the judgments rendered by the Joint Appeals Board (“Board” or “JAB”) in her cases against the Secretary-General of the International Seabed Authority (“ISA” or “Authority”) be published in anonymized form. The request arises in the context of the Board’s decision to publish its judgments in furtherance of transparency and consistency of jurisprudence within the internal justice system of the Authority.

2. It will be determined whether the Appellant has demonstrated exceptional circumstances warranting departure from the general principle that judgments of international administrative tribunals identify the parties by name.

#### **Procedural History**

3. On 14 January 2026, the JAB Secretariat informed the parties in this case that, in line with the Board’s commitment to transparency and consistency of jurisprudence, it intended to publish on the ISA website all judgments issued in 2025 and thereafter. The Appellant was invited to inform the Secretariat, by 21 January 2026, whether she requested that the judgments in the present cases be published in anonymised form, accompanied by a reasoned explanation.



4. By correspondence dated 21 January 2026, the Appellant submitted a request that the judgments be published in anonymised form. The request relied, *inter alia*, on the existence of pending appeals before the United Nations Appeals Tribunal (“UNAT”), including a request for anonymity and related protective measures, references in the proceedings to alleged harassment, security-related incidents, and personal financial information, as well as the potential for reputational prejudice to the Appellant.

5. On 26 January 2026, the JAB Secretariat transmitted the Appellant’s request to the Respondent and invited comments thereon. By submission dated 30 January 2026, the Respondent objected to the request for anonymity, contending that the Appellant had failed to demonstrate exceptional circumstances warranting departure from the principle of public identification of parties in judgments of international administrative tribunals.

### **Considerations**

6. From the outset, it is recalled that matters relating to the form and modalities of publication of its judgments, including questions of anonymity, fall within its inherent powers to regulate its proceedings and publications. Although the Revised Rules of Procedure of the JAB do not specifically address publication, the JAB exercises this discretion in the absence of provisions to the contrary, in a manner consistent with its mandate to ensure transparency, consistency, and fairness in its operations.

7. It is also recalled that the publication of judicial decisions identifying the parties is a central feature of international administrative justice, reflecting the principles of transparency, accountability, and consistency of jurisprudence.

8. As consistently affirmed in the UNAT jurisprudence, the names of litigants are routinely included in judgments in the interests of transparency, institutional accountability and confidence in the administration of justice. Anonymity constitutes a departure from this general rule and may be granted only in exceptional circumstances, where such a measure is clearly demonstrated to be necessary and proportionate to the interests at stake (see *Lee-2014-UNAT-481*, citing *Servas v. Secretary-General of the United Nations*, Order No. 127 (2013) para. 5; *Pirnea 2014-UNAT-456*, paras. 18; *Fedorchenko-2015-UNAT-499*, para. 29; see also *Buff-2016-UNAT-639*, para. 21).



9. Employment-related grievances frequently involve sensitive matters, including allegations of harassment, security considerations, or personal financial information. Such circumstances, however, do not in themselves justify anonymity, as international administrative tribunals routinely adjudicate disputes of this nature. The automatic concealment of parties' identities in such cases would significantly undermine transparency and public confidence in the administration of justice.

10. In the present case, it is observed that, subsequent to the Appellant's request, the UNAT issued Orders No. 592 (2025), 636 (2026), and 637 (2026) in proceedings involving the same Appellant and arising from the same factual background. Those Orders were published without anonymity and expressly identified the Appellant by name on the United Nations internal justice website. In at least one related proceeding, the UNAT expressly declined to grant anonymity to the Appellant, thereby confirming that no exceptional circumstances warrant such a measure in the present case. Accordingly, the Appellant's identity and the essential factual context of her claims already form part of the public record through authoritative appellate decisions.

11. In these circumstances, anonymity of the Board's judgments would no longer serve its intended protective function. Where the identity of the parties and the relevant factual matrix have already been disclosed through non-anonymised UNAT decisions, anonymity at first instance would be ineffective and artificial.

12. In summary, anonymity is not an end in itself, but rather a mechanism for balancing privacy interests against the fundamental principle of transparency in adjudication. In this case, because the Appellant's identity and related factual context are already public, such balancing favours denial of the current request for anonymity at the JAB stage.

13. In light of the aforementioned, the Appellant has not established exceptional circumstances capable of justifying publication of the judgments in anonymised form.

14. The Chair is satisfied that publication of the judgments in their original form will not prejudice procedural fairness, impair the intelligibility of the decisions, or adversely affect the administration of justice. On the contrary, publication identifying the parties promotes consistency of jurisprudence, legal certainty, and confidence in the Authority's internal justice framework.



15. This Order is without prejudice to any proceedings pending before the UNAT.

## **ORDER**

### **FOR THESE REASONS,**

The Chair of the Joint Appeals Board hereby **ORDERS**:

16. The Appellant's request for anonymity in publication of the judgments in the cases (Grievances 1 to 7) is dismissed.

17. The judgments shall be published on the International Seabed Authority's website in their original form.

Order dated this 9th day of February 2026

**Judge Martha Halfeld Furtado de Mendonça Schmidt**  
Chair of the Joint Appeals Board  
International Seabed Authority