



JOINT APPEALS BOARD
ISBA/JAB/APPEAL/ARDITO/2025

Giovanni Ardito (the "Appellant")

v.

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

Order No. 23 (2026)

ORDER ON THE REQUEST FOR ANONYMITY IN PUBLICATION OF JUDGMENT

Introduction

1. The present Order concerns a request by the Appellant that the judgment rendered by the Joint Appeals Board ("Board" or "JAB") in his case 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 13 January 2026, the JAB Secretariat informed the parties 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 whether he requested that the judgment be published in anonymised form.
4. By correspondence dated 23 January 2026, the Appellant submitted his response and questioned the legal basis for the Board's competence to determine the form and timing of publication, asserting that neither the Rules of Procedure nor the applicable Staff Regulations



and Rules expressly conferred such authority. The Appellant contended that selective publication would be inconsistent with the principle of transparency and objected to the omission of names of certain Board members in the decision, arguing this was inconsistent with established international judicial practice. On that basis, the Appellant indicated that he did not consent to publication identifying him by name.

5. On 26 January 2026, the JAB Secretariat requested the Appellant to submit a justification for his request for anonymity, informing that the Respondent would be afforded an opportunity to comment on his justification of the request of the anonymity in the publication of his judgment. By correspondence dated 27 January 2026, the Appellant reiterated his concerns regarding the absence of a clear legal framework and questioned the procedural rationale for affording the Respondent an opportunity to respond.

6. On 28 January 2026, the JAB Secretariat clarified that publication matters fall within the Board's inherent powers and that no position on anonymity had been taken at that stage. By correspondence dated 30 January 2026, the Appellant maintained that the Board appeared to proceed without a clearly defined framework.

7. On 2 February 2026, the JAB Secretariat transmitted the Appellant's submissions to the Respondent, inviting comments thereon. By submission dated 6 February 2026, the Respondent objected to the request, contending that the Appellant failed to demonstrate exceptional circumstances warranting anonymity. The Respondent cited the jurisprudence of the United Nations Appellate Tribunal (UNAT) emphasizing that anonymity is granted only in exceptional circumstances and that transparency is a fundamental objective of the internal justice system.

Considerations

8. 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 the Board's 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.

9. In the present case, the Appellant's submissions primarily raise procedural concerns regarding the framework governing publication and anonymity. Specifically, the Appellant



questions the legal basis for the Board's competence in this area, the absence of pre-existing rules, and what he perceives as procedural asymmetry between the parties. The Appellant's submission of 23 January 2026 expresses concerns that the judgment refers to certain JAB members without identifying them by name and asserts that transparency has not been applied consistently. While these concerns are noted, they do not constitute grounds for granting anonymity. The request for anonymity must be assessed on the basis of exceptional circumstances directly related to the need to protect the Appellant's identity, rather than on procedural objections to the publication process itself or disagreement with aspects of the Board's decision-making practices.

10. 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.

11. 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).

12. 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.

13. In this case, the Appellant has not identified any specific sensitive personal information in the judgment that would warrant protection through anonymity, nor has he demonstrated how the publication of his name would cause him exceptional harm or prejudice that differs from the ordinary consequences of being a party to judicial proceedings.



14. Moreover, the Appellant's identity and related proceedings are already part of the public record through proceedings before the UNAT. The UNAT has addressed matters involving the Appellant in the context of proceedings arising from appointments at the International Seabed Authority, as reflected in Order No. 591 (2025) and 611 (2025), both of which identify the Appellant by name and concern related administrative decisions at the Authority. These decisions were published without anonymity on the United Nations internal justice website, thereby establishing the Appellant's identity as part of the public record in matters concerning the Authority's internal justice proceedings.

15. In these circumstances, anonymity of the Board's judgment would no longer serve its intended protective function. Where the identity of a party has already been disclosed through non-anonymised UNAT decisions and orders concerning the same or related proceedings, anonymity at first instance would be ineffective and artificial.

16. 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 is already public through UNAT proceedings, and because the Appellant has not established that publication would cause exceptional harm, such balancing favours denial of the request for anonymity.

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

18. The Chair is satisfied that publication of the judgment in its original form will not prejudice procedural fairness, impair the intelligibility of the decision, 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.

ORDER

FOR THESE REASONS,

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

19. The Appellant's request for anonymity in publication of the judgment is dismissed.



20. The judgment shall be published on the International Seabed Authority's website in its original form.

Order dated 19th day of February 2026

A handwritten signature in blue ink, reading "M. Halfeld", is displayed on a light-colored rectangular background.

Judge Martha Halfeld Furtado de Mendonça Schmidt

Chair of the Joint Appeals Board

International Seabed Authority