



JOINT APPEALS BOARD

ISBA/JAB/APPEAL/PUSZTAI/2024

David Pusztai (the "Appellant")

v.

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

Order No. 25 (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 anonymised form, with all personal data removed. 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 Authority's website all judgments issued in 2025 and thereafter. The Appellant was invited to



indicate whether he requested that the judgment in the present case be published in anonymised form.

4. On 22 January 2026, the Appellant requested that the judgment be published in anonymised form, with the removal of all personal data, including, in addition to his name, any data from which his identity may be discerned. The Appellant further objected to the Board's decision to publish the judgment without the underlying submissions of the parties and reserved all his rights in that regard, including with respect to the procedural propriety of the approach adopted.

5. On 23 January 2026, the JAB Secretariat informed the Appellant that a link to the published judgment would be shared once it had been finalised and issued. On 26 January 2026, the JAB Secretariat formally invited the Appellant to submit a justification for his request for anonymity by 30 January 2026. He was informed that the Respondent would be afforded an opportunity to comment thereon and that, in the absence of a justification within the prescribed time limit, the judgment would be published as transmitted to the parties.

6. On 4 February 2026, the Appellant submitted his justification in support of the request for anonymity. In his justification, he contended that the Authority bore the burden of demonstrating the necessity of publishing his personal data and that a redacted version of the judgment would suffice for purposes of transparency. He further expressed concern that publication of his name in an unredacted judgment could mislead potential employers and prejudice his career prospects, particularly as he was compelled to continue participating in recruitment procedures. On the same date, the JAB Secretariat transmitted the Appellant's justification to the Respondent, noting that it had been filed after the deadline of 30 January 2026, and invited the Respondent to submit comments thereon no later than 10 February 2026.

7. By submission dated 10 February 2026, the Respondent objected to the request for anonymity. The Respondent submitted that the Appellant had not demonstrated exceptional circumstances warranting departure from the general principle that judgments identify the parties by name, as reflected in the jurisprudence of the United Nations Appeals Tribunal ("UNAT"). The Respondent further noted that UNAT had already issued unredacted judgments in matters



involving the Appellant, which identified him by name, and addressed the same factual background.

8. By email dated 11 February 2026, the Appellant requested the Chair's leave to file a brief response to the Respondent's submission, contending that the Respondent had raised new arguments and made references to case law which he had not had the opportunity to comment on. Having considered the Appellant's request, the Chair determined that a further round of written submissions was not necessary, as the JAB had before it the position of both parties and sufficient information to resolve the question of publication.

Considerations

9. 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.

10. In the present case, the Appellant requests the removal of all personal data from the published judgment, including his name and any data by which his identity may be discerned. In support of this request, the Appellant invokes concerns regarding the potential impact of publication on his career prospects and employment opportunities, the alleged absence of a compelling reason justifying the publication of his personal data, and broader arguments grounded in the principle of data protection. He further objects to the procedure of publication, in particular the decision to publish the judgment without the parties' submissions. While these concerns are acknowledged, they fall short of establishing the exceptional circumstances required to justify full anonymity under the applicable standard.

11. It is 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.



12. 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*, para. 18; *Fedorchenko-2015-UNAT-499*, para. 29; see also *Buff-2016-UNAT-639*, para. 21).

13. 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.

14. The Appellant's concern regarding the potential impact of publication on his career prospects and his ability to seek alternative employment does not, in itself, constitute an exceptional circumstance capable of justifying anonymity. Such considerations are common to many employment disputes adjudicated by international administrative tribunals and do not alone satisfy the standard required for a departure from the general principle of transparent adjudication. The Appellant has not established that publication of his name in the Board's judgment would expose him to exceptional harm or prejudice materially different from that which any litigant may experience as a consequence of being a party to judicial proceedings.

15. Furthermore, the Appellant's identity and related proceedings are already part of the public record through published decisions of the UNAT. The UNAT has addressed matters involving the Appellant in the context of proceedings arising from decisions taken by the International Seabed Authority, as reflected in Judgment No. 2025-UNAT-1603 and Order 611 (2025), both of which identify the Appellant by name and concern the same or closely related factual background as the present case. 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.

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

17. 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 the present case, the Appellant's identity and related factual circumstances are already publicly known through published UNAT proceedings, and the Appellant has not established that the publication of his name would cause exceptional harm. Such balancing necessitates denial of the request for anonymity at the JAB stage.

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

19. 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:**

20. The Appellant's request for anonymity in publication of the judgment be dismissed.

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



Order dated 24th day of February 2026

A handwritten signature in blue ink, appearing to read "M. Halfeld", is shown on a white rectangular background.

Judge Martha Halfeld Furtado de Mendonça Schmidt

Chair of the Joint Appeals Board

International Seabed Authority