



## **Order on request for review**

**Giovanni Ardito (the "Appellant")**

**v.**

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

### **Order No. 5 (2025)**

1. The Appellant filed a Suspension of Action request on 7 January 2025, along with other concerned staff members, seeking to halt the recruitment and restructuring of his position as Policy and Strategic Initiatives Officer, (Capacity-Development) (P3).
2. In its judgment dated 24 February 2025, the Joint Appeals Board (JAB) determined that the Appellant's request was moot.
3. The Appellant has submitted a request for reconsideration, arguing that the Respondent did not provide evidence substantiating the restructuring or reclassification of his post. He further states that his position was re-advertised on 11 March 2025 with the same title, grade, and responsibilities, contradicting the basis of the JAB's ruling.
4. The Rules of Procedure of the JAB do not provide for any motion for review of a judgment once rendered. The appropriate avenue for challenging a judgment is through an appeal to the competent authority, rather than seeking reconsideration by the Panel.
5. The Appellants chose to file a joint appeal rather than individual appeals, which did not allow for the identification of specific individual circumstances in the case. This procedural choice limited the level of individualized review that could be conducted within the framework of the Suspension of Action proceedings.
6. Furthermore, the JAB's determination of the Suspension of Action request was based on general prima facie evidence, rather than an in-depth evidentiary review. The nature of these proceedings is inherently limited in scope and does not permit a detailed assessment of all factual or legal arguments that might be presented in a full appeal.
7. The purpose of Suspension of Action proceedings is not to conduct a full assessment of the merits of the case, but rather to determine whether there is sufficient basis to suspend the implementation of an administrative decision on an urgent and preliminary basis. As such,



evidence submitted after the conclusion of the proceedings is not admissible, and new claims or factual contentions cannot be introduced at this stage.

8. The Appellant's assertion that his position was re-advertised does not alter the fact that the restructuring and reclassification process had already been completed at the time of the JAB's ruling. This does not constitute grounds for reconsideration, as the JAB is not the appropriate forum for ongoing review of administrative actions beyond the scope of the original Suspension of Action request.

9. Accordingly, any subsequent evidence provided by the Appellant after the issuance of the decision is not receivable within the framework of these Suspension of Action proceedings. The process remains a constrained avenue of review and does not allow for the introduction of additional factual elements beyond what was submitted before the judgment.

### **ORDER**

Accordingly, the Appellant's request for reconsideration is not receivable and cannot be entertained within the present proceedings.

**Dated 20 March 2025**

**Judge Martha Halfeld Furtado de Mendonça Schmidt**

**Panel Chair**

**Abena Kwakye-Berko**

Panel Member

**Judge Helmut Tuerk**

Panel Member