



Order on request for disqualification of Panel members

Giovanni Ardito (the "Appellant")

v.

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

Order No. 6 (2025)

1. On 19 March 2025, the Appellant submitted a request for suspension of action (SOA) in relation to the alleged Secretary-General's ongoing attempt to interfere with his fixed-term appointment. The Appellant contests the Respondent's initiation of recruitment for a newly created position, allegedly resulting from restructuring, notwithstanding the Joint Appeals Board's ruling on the Appellant's prior suspension request concerning the withdrawal of his original appointment.
2. On 20 March 2025, the JAB Secretariat acknowledged receipt of the request. On the same day, the Secretary of the JAB transmitted a letter to the Respondent, requesting a reply by 28 March 2025.
3. On 27 March 2025, the Chair of the JAB constituted a Panel to consider the request for SOA, following consent from the respective Panel members. The Secretary of the JAB issued a letter of constitution to both Parties on the same date.
4. On 2 April 2025, the Appellant submitted a letter requesting the disqualification of two Panel members including the Board Chair, who also serves as Chair of the Panel.
5. Pursuant to Rule 26 of rules of procedures of JAB, when a challenge is raised against the Board Chair, the determination must be made by a Board member chosen by lot who is not part of the constituted Panel. Ambassador Gina Guillén Grillo was selected to decide on the matter. On the same day, the JAB Secretariat informed her accordingly.
6. The designated Board member, Ambassador Gina Guillén Grillo, reviewed the Appellant's request in accordance with Staff Rule 11.2(e)(iii), which provides for disqualification where a Board member's ability to decide independently and impartially may be impaired or appear to be impaired.
7. She noted that the appointment of new JAB members occurred during a transitional period in which administrative measures were being taken to align the composition of the



Board with applicable rules. Minor inaccuracies in the Notification, such as typographical references to the method of selection, were found to have no bearing on the legality or integrity of the Panel's composition, which was duly constituted in accordance with Staff Rule 11.1(a).

8. With respect to the concerns raised against the Panel Chair, including allegations of procedural delay, case management decisions, and previous service with the United Nations Appeals Tribunal (UNAT), the designated member found these insufficient to establish a reasonable appearance of bias. It was further observed that the procedural delays referenced occurred during a transitional period and not in the current proceedings.

9. The designated member concluded that in the present case, the Appellant's concerns are primarily procedural and speculative in nature and do not meet the threshold required under the Rule. No evidence has been presented to demonstrate actual or perceived bias or conflict of interest.

ORDER

Therefore, the request for disqualification is denied. The Panel shall proceed as constituted.

Dated 9 April 2025

Ambassador Gina Guillén Grillo

Designated Member of the Joint Appeals Board