



Judgement

In re UCN Board of Elders
[2018] CILJ FB 2

1 Notes

Judgement given 3 November 2018. No hearing conducted. Documents are located at <https://www.tapatalk.com/groups/nscilj/viewtopic.php?p=10#p=10>.

Case history can be found at *UCN Board of Elders v Upper Chantler*, [2018] CILJ FB 1. This judgement is on a procedural regulation requested by Ecclestia on behalf of UCN Board of Elders regarding the operation of the court.

Judgement revised and citation appendix added 14 February 2020.

2 Opinion of the Court

The Chief Justice (Imperium Anglorum) joined by Khevo and Kundu.

[1] The Chief Justice permitted, under authority granted by Regulation 1 of the Court of International Law and Justice,¹ hearing of the request by Ecclestia asking for relief from unreasonable delay by the Chamber of Regional Appeals.²

[2] **Facts.** Ecclestia, being the counsel for the defendant in the first instance,³, as well as a party to the case before the Chamber of Regional Appeals,⁴ thereby possesses standing under CILJ

Regulation 1.

[3] The Bench concurs with the plaintiff that there has been an unreasonable delay.

[4] According to the version history attached to the UCN Tribunal's case record, the judgement in the first instance was made on 7 August 2018.⁵ The appeal to the Chamber of Regional Appeals was made and received on 10 August.⁶ It has been over seven weeks since then. To the Bench's knowledge, no judgement has been reached after nearly three months.⁷

[5] **Judgement.** In exercise of powers granted by section 5(3) of the CILJ Charter and CILJ Regulation 1,⁸ we order the Chamber of Regional Appeals, hereinafter 'Chamber' to render a judgement within 24 hours, subject to the CILJ Charter.⁹

[6] Should the chamber fail to render judgement within the time specified above, the Bench shall, being empowered by section 18(1) of the CILJ Charter,¹⁰ end the delay by granting appeal of the UCN Tribunal's decision in the Chamber of Regional Appeals' stead.

[7] Unlike in [2018] CILJ FB 1, we possess jurisdiction to hear the appeal if our order is violated, as we are permitted by the section of

¹ CILJ Regulation 1. ~~For guidance on citation, see *UCN Board of Elders v Upper Chantler*, [2018] CILJ FB 1, 18.~~ For citation guidance, see Citation appendix, *Europe v The Popular Populace*, [2019] Del 1 (Appendix) (Europe).

² Request for Order by Ecclestia, Document 1. The Bench believes that the request's exact wording on the parties is wrong. Upper Chantler does not having standing to contest an order requesting a judgement. Such an order is non-prejudicial to his (or any persons') interests. For that reason, the case is entitled *In re UCN Board of Elders*.

³ *Upper Chantler v UCN Board of Elders* (UCN Tribunal, 7 August 2018) (Union of Christian Nations).

⁴ Request for Order (n 2).

⁵ *Upper Chantler v UCN Board of Elders* (n 3).

⁶ Xagill response to request at [2], *UCN Board of Elders v Upper Chantler*, [2018] CILJ FB 1 (Document 12).

⁷ Ibid.

⁸ CILJ Charter s 5(3) ('decisions shall be binding on that of any lower Chamber of court'); see also *UCN Board of Elders v Upper Chantler*, [2018] CILJ FB 1, [10].

⁹ Ibid s 14(2) ('Every Justice who hears a case must present their own judgement, or affirm that of another Judge on the same case, which shall include the outcome of the case and legal reasoning employed in reaching that decision') (can be found in full here)

¹⁰ Ibid s 18(1) ('The enforcement of Rulings by the Court shall be enacted by the parties of the Case or any other body as is reasonable determined by the Judges') (referring to parties other than those of the case).

the CILJ Charter referenced above to both order and empower ourselves to enforce such an order as we see fit.

- [8] Moreover, we express our formal displeasure with the Chamber and its lack of progress in reaching a decision on this relatively straightforward appeal. If it requires assistance from any members of the Bench, members thereof will be happy to provide it, subject to the conditions of section 16(1) of the Charter.

For the report *Interregional Reports* abbreviate to ‘Int RR’. Add cases as required to Interregional Reports. Always provide parallel citation to the original case when citing from Interregional Reports.

3 Citation appendix

Revisions were made to the citation system. The President of the Court, institutes the system of citation used in the region Europe, which has adequate extensions to provide for citation of foreign cases in an appellate capacity such as this.

See generally Citation appendix, *Europe v The Popular Populace*, [2019] Del 1 (Appendix) (Europe).

3.1 Abbreviations

For pre-CILJ reform court abbreviations use—

Court name	Abbreviation
Full Bench	CILJ FB
Inter-regional Affairs	CILJ Int
Original Jurisdiction	CILJ Orig
Regional Appeals	CILJ App

These abbreviations supersede the older abbreviations.

For the current CILJ court, use—

Court name	Abbreviation
Full Bench	CILJ FB
Bench of Originations	CILJ P Inst ¹¹

For cases adjudicated in the first instance, note the presiding judge in the hearing after the citation in brackets. Eg—

Appellant v Respondent, [2020] CILJ P Inst 1, [4] (Bigtopia J).

To differentiate between a regional citation and a judge citation, place after the judge’s name the letter ‘J’.

¹⁰ See Citation at 18, *UCN Board of Elders v Upper Chantler*, [2018] CILJ FB 1 (Appendix). Eg Full Bench was not abbreviated, and Interregional Affairs was abbreviated to ‘Interregional’.

¹¹ Abbreviation for *in prima instantia*.