



Judgement

In re Ecclestia, ex p UCN Board of Elders

Before

Imperium Anglorum

Kundu

Khevo

Notes

Judgement given on 3 November 2018

No hearing required

Document appendix located [here](#)

Appellants

Ecclestia

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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 the request by Ecclestia asking for relief from unreasonable delays by the Chamber of Regional Appeals.²
2. **Facts.** Ecclestia, being the counsel for the defendant in the case, *Upper Chantler v UCN Board of Elders*, [2018] UCN Tribunal 1, as well as a party to the case before the Chamber of Regional Appeals,³ thereby possesses standing under 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 2018.⁴ The appeal to the Chamber of Regional Appeals was made and received on 10 August.⁵ It has been over seven weeks. To the Bench's knowledge, no judgement has been reached after nearly three months.⁶
5. **Judgement.** In exercise of powers granted by section 5(3) of the CILJ Charter and CILJ Regulation 1,⁷ we order the Chamber of Regional Appeals, hereinafter "the Chamber", to render a judgement within 24 hours, subject to the CILJ Charter.⁸

¹ CILJ Regulation 1 (can be found [here](#)). For guidance on citation, see *Ecclestia v Upper Chantler*, ex p UCN Board of Elders, [2018] CILJ Full Bench 1, 18.

² Request for Order by Ecclestia, Document 1 *infra*. The Bench believes that the requests exact wording on the parties is wrong. Upper Chantler does not have 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 has been entitled *In re Ecclestia*.

³ *Id.*

⁴ See *Upper Chantler v UCN Board of Elders*, [2018] UCN Tribunal 1 (can be found [here](#)).

⁵ Xagill response to request at [2], *Ecclestia v Upper Chantler*, ex p UCN Board of Elders ([2018] CILJ Full Bench 1) (Document 12).

⁶ *Id.*

⁷ CLILJ Charter at § 5(3) ("decisions shall be binding on that of any lower Chamber or Court"); see also *Ecclestia v Upper Chantler*, ex p UCN Board of Elders, [2018] CILJ Full Bench 1, [10].

⁸ *Id.* at § 14(2) ("Every Justice who hears a case must present their own judgement, or affirm that of another Judge on the same case, which

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6. Should the Chamber fail to render judgement within the time specified above, the Bench shall, being empowered by sections 18(1) of the CILJ Charter,⁹ end the delay by granting hearing and judgment for an appeal of the UCN Tribunal's decision in the Chamber of Regional Appeals' stead.

7. Unlike in [2018] CILJ Full Bench 1, we possess jurisdiction to hear the appeal if our order is violated, as we are permitted by the section of 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 CILJ Charter.¹⁰

It is so ordered.

shall include the outcome of the case and legal reasoning employed in reaching that decision") (can be found in full [here](#)).

⁹ *Id.* at § 18(1) ("The enforcement of Rulings by the Court shall be enacted by the parties of the Case or by any other body as is reasonably determined by the Judges") (referring to parties other than those of the case).

¹⁰ *Id.* at § 16(1).